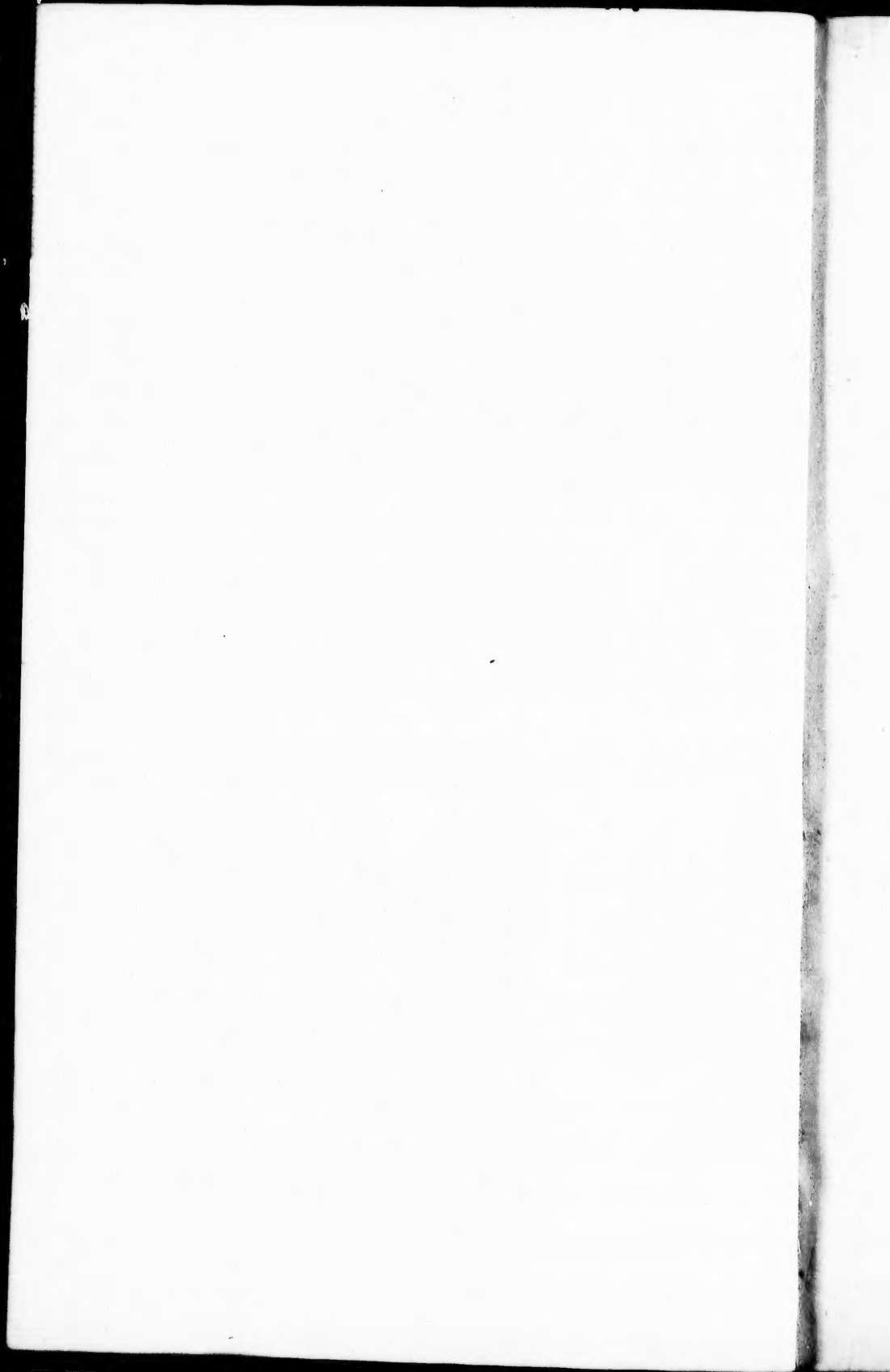




A

REVIEW

OF THE

PRINCIPAL PROCEEDINGS

OF THE

PARLIAMENT OF 1784.

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INTRODUCTION.

THE maxim of the Roman moralist, "that the present day should be a disciple of the past," may be applied, with equal, or, perhaps, greater force, to nations as well as to individuals. In proportion to the extent and intricacy of public concerns, is the value of that safe and salutary counsel which experience affords for their direction. The interests of individuals, theory may sometimes venture to balance and decide; but he must be confident, indeed, who will commit to her guidance the interests of nations,

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complicated and uncertain as they are, if he can find in practice and experience a sure foundation on which to build his opinions.

Events, however, will sometimes arise for the conduct of which no precise direction can be drawn from the history of former times. In the management of such events, a Statesman must rely upon his own capacity and genius, unsupported by precedent, and unassisted by example.

Events of this kind have been more frequent during the space of a few years back from the present time, than in any period of the same duration with which we are acquainted. In this country, we are happy to think, the occurrences
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have been important, but not disastrous ; the scene has been change-ful and busy, but it has been marked with no distressful catastrophe ; we can look back on it for comfort as well as instruction, and profit from the warnings of vicissitude, without the severer corrections of adversity.

The History of the Parliament 1784 comprehends a series of events, involving in a very uncommon degree the most important interests of Great Britain. The revision of these transactions can scarcely be a matter of indifference to any subject of this country ; their importance, indeed, have been felt by the people, and they have pronounced with very little reserve on the nature and tendency of the measures adopted during

ring that period by their representatives. This judgement of the people, if properly regulated, is one of the most useful qualities of a free Government. It anticipates the historic fame of a good and a pure Administration, the infamy of a wicked and a corrupt one. It gives to the present time that jurisdiction which, in arbitrary Governments, is only exercised by posterity, and substitutes an actual and solid advantage in place of useless regret or empty comium.

But the people, it has been repeatedly observed, though always right in sentiment, are not always right in opinion. Their opinions are liable to be misled by the warmth of momentary impressions, or by the prescriptive authority of certain popular

pular ideas, which form the political creed of the great bulk of the community. It may be worth their while sometimes to retrace those impressions, to reconsider the justice of those ideas ; to weigh, with retrospective calmness, the reasons for their applause of some measures, for their censure of others ; to regulate the measure of their future confidence, and to restrain the hastiness of future mistrust and apprehension.

With this view, it may be allowed to one of their own number to recall to their remembrance the conduct of the late Parliament in some of those very important proceedings in which it was its fortune to be engaged. Some of these may now be traced in their effects ; and
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all of them may be considered with a greater degree of impartiality than was consistent with the immediate warmth of party-debate, or the agitation of opposite and contending interests. From the same consideration, he may also venture to suggest a review of those transactions to the present representatives of the people. This is the first period at which such a review could be properly recommended to their attention. During the last Session, besides the ordinary business which always attends the opening of a new Parliament, there were other circumstances not favourable to deliberate discussion. With the prospect of peace, which the result of the late negotiations on the Continent, and the general sentiment of European politics, may now reasonably

ably afford, the present Parliament, we flatter ourselves, may have leisure for the undisturbed exercise of its deliberative functions ; may have a full opportunity of providing for the completion and permanency of every useful regulation already established, as well as for the adoption of those of which its own wisdom and information may suggest the expediency.

ERRATA.

- P. 71, line 14, for *exaements*, read *enactments*
80, last line, for *between 62,000l. and 63,000l. &c.*,
read *about 60,000l., &c.*
82, line 17, in a few of the copies, for 6,696,221,
read 6,698,221
92, — 3, for *and one million*, read *amounting to*
one million

SECTION I.

INDIA.

*India Bill of 1783.—India Bill of 1784.—
India declaratory Bill.—Impeachment of
Mr. Hastings.*

IN looking back to the commencement of the late Parliament, it is impossible to forget the conclusion of that immediately preceding. The measure which produced its dissolution was one of that kind which holds no middle place in the political system. It was of a magnitude that roused the attention of every man to whom the Constitution of his country appeared an object of importance. The introduction of Mr. Fox's celebrated *India Bill* was favoured by the necessity which was felt of some reform in the administration of our eastern possessions. The empire held, by Great Britain in the East, had by that time grown much too unwieldy for the government of

a mercantile Company, with whose very nature and constitution were interwoven so many obvious causes of the mismanagement and oppression of those territories. The interposition of the British Legislature to regulate that Government and to restrain that oppression, was loudly called for by the justice and humanity of the nation. But those very feelings were alarmed by the provisions, equally violent and unnecessary, which this bill contained, tending to annihilate and destroy not only the power, but the property and the commerce, of the East-India Company. This struck the feelings of the people at large, which are easily awakened to a sense of immediate oppression and injustice; but to those who could investigate more deeply, the danger with which the bill in question threatened the most essential principles of the British Constitution seemed still a greater and more extensive object of apprehension. The immeasurable influence and patronage which it placed in seven Commissioners named by Parliament, in violation of the rights of the executive branch of the Government, whose unity it destroyed,

stroyed, and whose exertions it must frustrate, created, it was said, a new power in the state, of such a nature and such an extent, as to overbear every wholesome check which the wisdom of our forefathers had contrived against the encroachments or preponderance of any one order of the state*. A foundation, it was argued, was laid for an aristocratical despotism, by which the liberties of most European states have been fatally overturned; a despotism by which

* The extent of this influence is very fully and justly stated in an excellent pamphlet written at the time by Mr. Pulteney, one of the most intelligent and independent Members of the House of Commons. His words on that head are, " The whole influence
 " of the offices of every kind in India, and at home,
 " belonging to the Company; and the whole influence arising from the transactions of their trade,
 " in the purchase of goods for exportation, furnishing shipping, stores, and recruits; and the influence arising from the method of selling their goods,
 " by bringing forward or keeping back goods at the sales, or giving indulgencies as to payments, so as
 " to accommodate those who are meant to be favoured; the influence arising from the favour they may shew to those who are now in England, and
 " have left debts or effects in India, as to the mode

which the people had even in some instances been driven, as feeling it a lesser evil, to throw themselves on the arbitrary rule of a Monarch.

With these arguments against the India-Bill of 1783, the public opinion seemed to

“ of bringing home and receiving their fortunes; the
 “ influence of contracts of all kinds in India; of
 “ promotions from step to step; of favour in the in-
 “ land trade; of intimidation with respect to every
 “ person now there, who may come home with a
 “ fortune, both with regard to recovering his debts,
 “ and the means of remittance, and with regard to
 “ inquiries into his conduct; the influence upon fo-
 “ reign companies or foreign states, who have esta-
 “ blishments in the country; the influence upon the
 “ native Princes of India, some of whom have al-
 “ ready found the way of procuring the elections
 “ of Members of Parliament; and many other means
 “ of influence which it is impossible to foresee or to
 “ trace.”

The seizure of the Company's warehouses, goods, books, &c. which this bill enacted, its usurpation of their whole commercial management, seemed, at first view, to the Public, a mere wanton exertion of arbitrary and extravagant power; but those who had considered the subject more closely, allowed it, at least, the merit of a motive; it was a part of that rapacity of patronage which was the distinguishing feature of the bill.

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coincide ; and the nation beheld rather with satisfaction than surprise, the dismissal of the Ministers by whom it had been introduced, though such dismissal was resisted by various resolutions of the House of Commons. That Ministry had, indeed, in its formation, the seeds of great unpopularity. The alliance of the two adverse parties of which it was composed, seemed so much beyond the usual pliancy even of politicians ; the personal violence of their former hostility seemed so repugnant to every idea of junction, that the natural integrity of the people felt the *Coalition* as one of those public violations of consistency, one of those public derelictions of principle, which destroy all future confidence, and forfeit all future esteem.

A majority of the House of Commons constituted in this manner, and excited to such a purpose, did not carry its usual and natural weight in the adoption of public Measures. That majority complained loudly of the disregard that was shewn to its remonstrances ; impartial men felt as a precedent of ill tendency, the abuse and consequent disrespect of a power which
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the House of Commons had often exerted, for the benefit of its constituents, with a vigour and an effect in which the friends of liberty rejoiced and triumphed. They saw, with peculiar regret, that, in this war of party, the weapons which had been so often wielded in defence of the Public, were blunted by the injustice of the cause in which they were employed. They lamented that, in this instance, the constitutional language and principles, which every lover of his country wishes to preserve in their fullest force, were perverted, as the people believed, to cover party machinations and designs of inordinate ambition; they thus lost the sacredness of their ancient authority, and the democratical part of our Constitution was exposed to a danger of which it was fortunate for the public tranquillity that the moderation of the Crown was not in the smallest degree disposed to take advantage,

In the dissolution of the Parliament the Crown acted with a reluctant slowness, which at the time was blamed by some of its friends as unnecessary and hurtful. But it was a measure proper to be adopted only

on that necessity which deliberation could not overcome, and on that strong and imperative voice with which the people continued to demand the dissolution of the representative body, who, in their opinion, had attempted to violate those great constitutional principles which their constituents had entrusted them to guard.

The bill which was introduced in the new Parliament in the room of the former which the House of Lords had rejected, was really founded on the principle of controlling an authority which had been misemployed, and of correcting abuses which had existed in the Government of our Asiatic possessions. It was essential, for those purposes, to establish somewhere a superintending and corrective power, to resist and remedy that corruption which had so shamefully pervaded the Administration of Indian affairs. To rescue the natives of that great country, which was now become a part of the British empire, from the rapacious tyranny to which they were exposed; to rescue the Company itself from

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the ruin which was likely to result from the malversations of its servants; and, above all, to save the empire from that enormous mischief which the corruptions of those distant provinces were likely to bring upon it; were objects to which no slight inconvenience to individuals could, in sound principles of national policy or of national justice, be opposed. But to make the provisions remedial, not oppressive, to limit their extent to the necessity that occasioned them, and to commit their execution to persons neither interested to strain their severity nor relax their justice; these were the objects to which it became the Legislature to confine itself in the exercise of the corrective functions which it was now called upon to employ. It restrained therefore, though it did not abrogate, the powers of the India Company in its political concerns; but it left uncontrolled those strictly commercial transactions which did not interfere with the Government of Asia or the welfare of Britain.

In the constitution of that Board to which the superintendence of Indian affairs
was

was to be intrusted, the new bill endeavoured to provide for the unbiaſſed exerciſe of that ſuperintendance, by withholding as much as poſſible the temptations of influence or patronage. It gave the Commiſſioners the power which was neceſſary for correction and control; but it denied them that which was likely to be ſubſervient to domeſtic ambition, or to endanger that counterpoiſe by which the Britiſh Conſtitution is ſupported.

For the correction of abuſes in India, a ſtronger and more efficient government was neceſſary in that country. We had ſuffered as often from the want of power as from the want of integrity or ability in our Governors. The bill in queſtion lodged in the hands of the Governor General and Council in Bengal a degree of authority calculated to enforce the meaſures of reform and good government, which the intereſts of both the parent-ſtate and the provinces required. It took away the neceſſity which had ſometimes exiſted of compromiſing with abuſes from the weakneſs of the hand that ſhould have checked them. It gave an immediate efficient control

trol upon the spot, subject again to the superintendence and revision which it had established at home, in order that the redress of wrongs might neither be tardy or defective from the want of power, nor be precipitate or immoderate from the want of responsibility. The same supreme effective authority in one of the Presidencies over the others, was necessary towards the unity of political transactions, which had been formerly often conducted with the weakness of divided councils acting independently of each other. But the bill, with peculiar care, drew the line respecting the power of declaring war and commencing hostilities, at the same time that it studiously prohibited all schemes of offensive war, founded merely on the desire of conquest, and of extension of empire, it provided the means of acting with vigour and effect in every case where war might become necessary on the principle of self-defence, and it gave to the Government on the spot the power of immediately adopting such measures and entering into such engagements as might be necessary for the purpose of obtaining adequate reparation,

paration, and providing for future security*.

Among the provisions which this bill contained for the prevention and punishment of Indian delinquency, that to which the chief opposition was made was the institution of a new Board of Judicature for the trial of offences committed in India. But

* 24 Geo. III. C. 25. Sec. 34.

“ And whereas to pursue schemes of conquest and extension of dominion in India, are measures repugnant to the wish, the honour, and the policy of this nation, be it therefore further enacted by the authority aforesaid, that it shall not be lawful for the Governor General and Council of Fort William aforesaid, without the express command and authority of the said Court of Directors, or of the secret Committee of the said Court of Directors, in any case (*except where hostilities have actually been commenced, or preparations actually made for the commencement of hostilities against the British nation in India, or against some of the Princes or states dependent thereon, or whose territories the said united Company shall be at such time engaged by any subsisting treaty to defend or guarantee*) either to declare war or commence hostilities, or enter into any treaty for making war against any of the country Princes or states in India, or any treaty for guaranteeing the possessions of any country Princes or states; and that in

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But the strong national attachment to the
Jury trial of England, naturally over-ruled
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such case it shall not be lawful for the said Governor General and Council to declare war or commence hostilities, or enter into treaty for making war against any other Prince or State than such as shall be actually committing hostilities, or making preparations as aforesaid, or to make such treaty for guaranteeing the possessions of any Prince or State, but upon the consideration of such Prince or State actually engaging to assist the Company against such hostilities commenced, or preparations made as aforesaid; and in all cases where hostilities shall be commenced, or treaty made, the said Governor General and Council shall, by the most expeditious means they can devise, communicate the same unto the said Court of Directors, together with a full state of the information and intelligence upon which they shall have commenced such hostilities, or made such treaties, and their motives and reasons for the same at large."

The provisions of this clause could not have been more explicit, if they had been made with a view to the actual circumstances which compelled the Government of India to enter on the present war with Tippoo, and to the measures which they thought necessary for the vigorous prosecution of it. It seems particularly to recognise (what indeed is obvious) the necessity of decisive measures in case of an attack, or even preparation for an attack, not only against the British nation, but against any of
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the objections against this mode of trial, when it was observed to be formed as nearly on the same model as the circumstances of the case appeared to admit; and that in the construction of this Judicature every precaution was taken that could tend to secure its respectability and impartiality. It seemed indeed very difficult, if not impossible, to give either efficiency or promptitude to any tribunal of which the proceedings should be regulated precisely by the ancient customary forms of the English law. The failure of national justice in the punishment of Indian offences had been but too often observable. In the present instance the objections to a Judicature, formed for the attainment of that justice, arose from men whose eloquence had frequently lamented the oppression of Asia, which in Britain they found no adequate means to redress or to expiate.

its allies; and it expressly gives in this case a liberty, which it withholds in ordinary times, to contract such engagements with other powers in that country as may induce them effectually to co-operate with us in the prosecution of a just and necessary war.

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Less animadversion was made on the clauses enacting a public disclosure and record of the fortunes brought by individuals from India, though these provisions might be deemed of an inquisitorial kind, averse to the genius of our law, and degrading to the national character. But the country was so strongly impressed with the necessity of correcting the speculation and corruption with which the management of those distant provinces had been sullied, that it was willing to venture remedies of a strong and somewhat invidious kind, if they were such as did not trench on the public safety. This measure, however, produced very great discontents in India, and was afterwards repealed by the amending act of 1786. This last-mentioned law made another material alteration in the statute of 1784, by enabling the Governor General, or the Governor of any of the subordinate Presidencies, in any case where he believed a measure to be essential to the interests of the Company, to order such measure of his own authority, even against the opinion of all the other members of the Council; but it coupled this power with
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an obligation on such Governor to make oath to his belief of the utility of such measure, and an acknowledgement of his sole responsibility for its consequences. This amendment was made on the principle already mentioned of the necessity of a strong efficient Government in India. 'Tis a general truth in the character of mankind, that great situations make great minds, especially when men are deprived of the shelter of divided responsibility, and can look in their own individual persons to the pride of good actions, or the disgrace of ill ones.

Let it, however, be remembered, that this observation is not an argument in favour of arbitrary Government, but rather one of the many proofs of the advantages of a free Constitution, which is enabled on great emergencies to delegate the necessary degree of discretionary power, because it can provide a responsibility adequate to the importance of the trust.

Such are the principal outlines of that statute, which was one of the first great public acts of the last Parliament. It was a measure indispensable in the circumstances
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of the empire, a duty in the Legislature which had been often recommended to them by the Sovereign. It became the virtue and the dignity of Parliament to interpose in this vigorous and coercive manner for the interests of the state, as well as for the sake of public justice and humanity; it was consonant to its wisdom to endeavour to accomplish those ends, without forgetting the regard that is due to the franchises of individuals, and the great political rights of the community.

Amidst the weakness and corruption of the India Company's Government, its finances could not but suffer a consequent derangement. Its situation was held out by the supporters of Mr. Fox's India Bill to be so desperate, as to amount to bankruptcy; and indeed, even in the sober colouring of truth, the view of its affairs was so gloomy, that it required an immediate and vigorous exertion of parliamentary interposition and assistance to redeem them. To provide for the discharge of its debt, and at the same time not to sink its credit by a sudden reduction of its dividends, required an arrangement of its future transactions,

and a rigid adherence to its future economy, which the operation of the regulating law, and the strictest attention of the Board, which it had established, could only effect. But in great concerns like those of the East-India Company, the reform as well as the abuse in detail produces a result which always exceed common expectation. By the effect of the salutary measures adopted for the restoration of its affairs, the Company has been enabled so effectually to retrieve them, as to be in a condition to provide for the payment of its debt, and to increase its trading capital to the extent which the *Commutation act* has necessarily occasioned. The confidence of the Public in the present situation of the Company, and in the present management of Indian affairs, is best ascertained by the present rate of its stock, which from 120 per cent. at which it stood before the passing of the act of 1784, is now at 188, even amidst the uncertain events of a distant and expensive war. The events of that war, (occurring indeed out of the period to which this *review* particularly applies) shew in a very pointed manner

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manner the effects of the present management of India on the revenues of the Company. Notwithstanding the immense exertions that have been made, and the very great expence attending them, an expence swelled beyond all probable calculation by untoward and unlooked-for accidents, the treasury of the Company in India is able to answer every exigency of the war, without disappointing its mercantile investments.

This department of finance, though originally arising out of the management of a Commercial Company, may now be fairly reckoned a national one. Parliament considers it as such, and expects it to be annually laid before them, not only in the arithmetical result prescribed by the bill hereafter to be mentioned, but with that particular detail which is open to examination and canvass.

This expectation indeed did not so much arise from Parliament itself, as it was suggested to them by the laudable practice of the gentleman who presides at the Board of Control.

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There was indeed, as I have noticed above, in the construction, as there is in the conduct of the Board of Control, a principle of pure and disinterested management, which naturally led to economical arrangements. A province was assigned to it separate from that of the former managers of India so frequently censured, in which immediate advantage and immediate patronage were often at war with the great and permanent interests of the Company and the empire. The situation of the members of the Board of Control is one which presents objects as an inducement to the discharge of their duty, capable of furnishing the highest possible gratification to an honourable ambition; on the other hand, the proportion of patronage and the means of abuse will be found to be so inconsiderable, that even in the most unfavourable view of human nature, they can hardly be thought to operate as a temptation in the opposite scale.

This subject being very much connected with the debates respecting the powers intended to be vested by the India Bill of 1784 in the Board of Control, which took

place on occasion of the *declaratory bill* brought into Parliament in 1788, it may be proper, though not in the order of time, to take notice here of the proceedings on that declaratory law.

On the alarm occasioned by the disturbances in Holland, the Directors of the India Company had concerted with Government to send out to India four regiments of the King's forces, which were to be transported in the ships of the Company, and the expences incident to which were to be defrayed out of its revenue. But when the Dutch business was settled, and affairs had resumed their former pacific appearance, the Directors, with that œconomy which, in mercantile men, perhaps sometimes supersedes foresight, declined burthening their military establishment with what they conceived an unnecessary reinforcement. The Board of Control, who had the best authority for believing the proposed augmentation to be essential to the safety of the Indian territories, insisted on sending the regiments by their own authority, in virtue of the powers conferred on them by the act of 1784. But

doubts having arisen on the construction of that act, and opinions of very respectable weight in the law having been given on the side of the Directors, it was judged proper to sanction the measure by the interposition of Parliament; and the Minister accordingly brought in a bill “for removing any doubts respecting the powers of the Commissioners for the affairs of India, to direct that the expence of raising, transporting, and maintaining such troops as may be judged necessary for the security of the British possessions in the East Indies, should be defrayed out of the revenues arising from the said territories and possessions.”

This measure was immediately represented as an attempt to acquire power of a dangerous extent; and the recollection of the strong and violent provisions of the bill of 1783, while it made the Public awake to every impression of this nature, was a motive for opposition to canvass the present bill with all the acrimony which the disappointment and unpopularity of their own measure naturally inspired. In this question there was more than the ordinary

dinary object of resistance to administration; it was the contest of rival pretensions, on a subject which had thrown the one party out of power, and invested the other with their present authority.

Against the principle of the bill it was contended, that a *declaratory* law cannot supply the omissions, or enlarge the provisions, of the original statute which it is meant to explain; for this would be to declare what never existed. Parliament, by passing such a declaratory law, usurps in its own cause a judicial power to which it is only entitled on an obvious ambiguity of expression in the statute to be explained, or the clashing of judicial decisions in the courts. Let this be called an enacting law, and the absurdity of its title at least would be avoided. But whatever name it assumed, it was equally (said the opposers of the measure) a violent and unjust attack upon the rights of the East-India Company. It went to the annihilation of the power of that Company as much as the bill of 1783, against which so much clamour had been raised, but it did that insidiously and indirectly which the other
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meant to do in an open and manly manner. " This bill, they argued, gives to the Board of Control complete power over the whole revenue of India; under the pretence of providing for the safety of their territories, that Board may employ what force it pleases; apply the revenues to the maintenance of that force, and so disappoint the Company of its necessary investments. This virtually goes to the control of their commerce, which, it was expressly declared, the bill of 1784 was to leave at the absolute disposal of the Company. It gives to the Board all the patronage which the disposal of the revenue creates, all the power which that necessarily infers; power in the worst possible way, without responsibility."

" In a constitutional view, it was urged, besides this enormous patronage, which had in the act of 1783 been deprecated as a means of overthrowing the balance of the Constitution, there was in the present bill an accession to the power of the Crown of the most alarming kind, a power of maintaining what troops it pleased in India without the consent of Parliament. That,
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in the case in question, the sending those regiments to India would be attended with the most hurtful effects to the service there, by the offence which it could not fail to give to the officers of the Company, under whom their arms had hitherto triumphed over the numerous enemies with which their territories were surrounded. If the justice of their claims was not listened to, let the danger of disregarding them be considered. Let it be remembered, that to such discontents in the French army the ruin of their affairs in India might be imputed; and that there were not wanting instances of the most serious danger to ourselves from the operation of such discontents in our own army."

In defence of the bill it was urged, " that it only went to declare that power which the former law had undoubtedly meant to lodge in that Board which it constituted for the control and superintendence of Indian affairs, and which power the Board of Control had accordingly exercised since the earliest period of its institution. That Board, in its very establishment under the act of 1784, had been
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meant and declared to be *an active and efficient institution*. But if it were to exercise the crippled and imperfect jurisdiction which it was now contended was only meant by that act to be given it, its activity would be useless, and its efficiency would be destroyed. The Commissioners were responsible for the safety of the territorial possessions, for the political government of India; they must therefore have the disposal of the revenue arising out of the provinces applicable to their defence and security. Of all powers, it was said, this is the most necessary to the Board, because it is a control of what was most likely to be faulty in the management of the company. Immediate profit and emolument is the natural object of trading companies; but the Board of Control must not forget that the defence of a country is more necessary than its opulence, and must provide for the first of these objects, if they shall happen to interfere, in preference to the latter. The Directors indeed might be naturally supposed, in the present situation of the Company, to have an additional motive for preferring investment to security,

rity, in the view of the approaching expiration of their charter; but the great use of the Board of Control was, to look to the permanent interests of the empire, and not to barter national security for commercial emolument. For attaining this security, the measure of sending out the regiments in question was necessary; nobody could say how pressing that necessity was; entrusted as that Board was with the political interest of the country and the nation, with the safety of provinces so essential to both, was it to wait the slow progress of judicial decision, and suffer meanwhile the territories of the Company to be lost or endangered? If interference with the revenues of India in the Board of Control was illegal, and an usurpation of the rights of the Company, it was now for the first time that it was discovered to be so. That interference had benefited the Company many crores of rupees annually; it had re-established their credit abroad; it had furnished the means of paying a large part of their debts at home; it had given security to the land-holders in India. As early as the year 1785 it had prevented a mutiny

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in their army by applying the revenue in the first instance to the payment of the troops, in preference to all other demands. Even in a mercantile view it had benefited them essentially, because it had enabled them to increase their investments by the regulation of their affairs and an economical retrenchment in the expences of their establishment."

"As to the unconstitutional power which this bill was said to lodge in the Crown, it was argued, the idea was founded on a mistake. Every British soldier, wherever employed, is under the control of Parliament; and for the very regiments now in question the House of Commons had voted the estimates. The mode of raising those regiments was absolutely necessary towards the expedition with which they were required. The nomination of their officers was of course with the Crown; but the Crown had allowed to the Company one half of the appointments, a proportion as high as could reasonably be expected, when it was remembered, that there were 2800 officers on the half-pay list to be provided for,

many of whom had served with distinction in India, and helped to maintain and defend the territories of the Company."

The candour of the Minister in his defence of this declaratory bill made a strong impression on the House. He declared his own perfect conviction, "that the bill introduced by him in 1784, gave to the Board of Control the power which this bill declared, otherwise he should have thought himself blameable for bringing in a bill so inefficient and nugatory. But he would not stand on the question of construction; he called on the House to consider the operation and tendency of the bill; to look to every question it involved. Questions had been started on it, more important than the powers of the Board of Control, the conduct of the East-India Directors, or even the territorial acquisitions of the Company; questions affecting the Constitution of Great Britain, which he held paramount to all others. If there were in this bill, or in that of 1784, any principles hostile to the Constitution, better that this should be thrown out, and the other repealed, than that any such principles should be entertained.

tained by a British Legislature. But before such an alarm was taken, let the House consider its reality. This bill, he was decided in opinion, gave to the Crown no power to maintain an army in India independent of Parliament; if that were so, he would be the first to vote against it; but nothing appeared to him so mistaken a notion. Parliament voted every foldier in the army wherever employed; part of it was sent to India as it might be to any other part of the empire; but the control over its existence rested, and God forbid that it should ever cease to rest, with Parliament."

"With respect to the patronage said to be conferred by this bill, he must repeat, that the leading and anxious feature of *his* bill had been to give superintendence and control, but to withhold patronage. For remedy of the abuses in India, and for the future prevention of them, there must be an accession of power somewhere; but his great object from the beginning had been, to give the Board of Control every power and faculty necessary for those salutary purposes, but without the patronage, of
which

which he knew the danger to the Constitution. Every appearance of that danger, however, was too alarming to him, and he hoped to every Member of the House, not to be provided against by every possible means. He begged therefore that gentlemen would sift the bill in this respect to the bottom, and he would thankfully receive any provisions against such danger that could be proposed, let them come from what quarter of the House, or be delivered with what asperity of language they might. Himself would in the mean time propose some clauses which he thought would effectually remove such apprehension either from the power of the Crown, or the patronage of the Commissioners."

Three clauses were accordingly added to the bill by the Committee; 1st, for limiting the number of the King's troops and the Company's European forces in India; 2d, for preventing the increase of any salary in India, or the payment of any extraordinary allowance from the Company's revenue there, by the Board of Control, without the consent of the Directors, and an account laid before Parliament; 3d, for
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the Directors to lay every year before Parliament an account of the annual produce of the revenues, the disbursements and debts of the Company.

It may be gratifying to the Public to recollect the particulars of this discussion, and to compare them with the succeeding events in India. This augmentation of our force fortunately took place before any occasion arose of actually putting our strength to a trial; the war which has since broke out, and the events which have attended it, are a sufficient proof of the necessity of these precautions; and the prospect of final success may principally be ascribed to that state of complete preparation which enabled us to meet this sudden emergency with a promptitude and vigour before unexampled. Enough of the administration of India is now known to qualify us to judge of the effects of the power of the Board of Control, which was represented as so dangerous; by the exercise of that power the Company has been enabled to attain its present state of growing wealth and credit, and to furnish those resources the extent of which has been so fully manifested in

the operations of the present war. As to the fears of the effect of this bill on the Company's army in India, they will best be answered by its late services; by its discipline and its valour.

Previous to those permanent laws for the regulation of the affairs of the India Company, Parliament had frequently taken occasional and temporary measures with a view to correct the abuses which had occurred in the management of its political and territorial concerns. Among these was the appointment of Committees, particularly of the *secret* and *select* Committees in 1781, which had investigated with unwearied assiduity the subject of Indian Government, and had laid before the House reports containing a very large and interesting body of evidence on that subject. One of the members of the select Committee was a gentleman not more admired for the extent of his information, the depth of his knowledge, and the brilliancy of his talents, than respected for the virtues of his private character. In the course of his enquiries in this department,

partment, he had conceived a very strong and decided opinion, that the late Governor General of Bengal had been guilty of great official malversation, and had often signified to the House, in very pointed terms, his intention of making the various abuses of that gentleman's Government the subject of parliamentary enquiry. Some of the friends of Mr. Hastings, with a zealous attachment to his person, and a perfect confidence in the merits of his administration, had frequently pressed this gentleman to come forward with his threatened accusations, which they said Mr. Hastings, now returned from his Government, was extremely desirous to meet. Mr. *Burke*, thus called upon, at last brought forth the charge he had meditated; and on the 17th of February, 1786, (after having read a resolution of the House in 1782, which contained a censure on certain measures of the Governor General, and declared the opinion of the House of Commons that he ought to be recalled, he proceeded to move for certain papers to be laid before the House, on which he meant to found an impeachment against Mr. Hastings,

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tings, for his various delinquencies in India. He afterwards collected his charges into one paper, which was laid before the House, and circulated through the nation. The nation, though never deficient in a sense of justice and humanity, was in this case favourably disposed to the person whom these charges held forth as a delinquent. The impression of the vigour and ability of his Government in India, during a crisis very important to this country, had been pretty generally received. He had been continued in his Government there, subsequent to those resolutions in 1782, which his accuser had assumed as the foundation of his charges; and it was a prevailing opinion among men most conversant with India, that his conduct in that Government had extricated this country from the various difficulties and dangers of a war which had threatened the very existence of the British power in that quarter of the globe. Success is too often the criterion of the people's opinion. In this case, they compared the success of Mr. Hastings in India, with the national disasters in another hemisphere, where the enormous corruption

tion and abuse of individuals had not been redeemed by a single advantage to the Public. The character of Mr. Hastings's accuser, though highly respectable for its virtue and its ability, was tinged with a degree of enthusiasm of which the Public was disposed to doubt the discretion or the justness. In pursuit of a favourite measure, with all its intrinsic worth, its native energy, and its acquired endowments, the mind of Mr. Burke was often a less safe guide of public opinion than those of much inferior men. Its qualities were frequently carried to an excess, in which they lost their estimation and their use. The warmth of his feelings sometimes betrayed him into what had the effects of inhumanity, and his sense of right pushed to an extreme, became injustice.

Distrustful of the warmth of his accusation, and inclined to give Mr. Hastings credit for the successful issue of his Government, without examining too nicely the detail of his conduct, the Public looked to the impeachment as a measure which the House of Commons was not likely to adopt. They expected Mr. Hastings to

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have

have answered with that general reference
 to the success of his administration which
 themselves were accustomed to make: " I
 " preserved for the Company and the na-
 " tion their Asiatic dominions, when as-
 " sailed by a combination of powerful and
 " determined enemies; amidst a war in
 " most other places disastrous, my exer-
 " tions repelled the attacks of their ene-
 " mies, maintained the reputation of your
 " army and the security of your posses-
 " sions, and finally accomplished that peace
 " which laid the foundation of the ex-
 " tended commerce and the increasing re-
 " venue of your East-India Company. If
 " in the attainment of these great and ar-
 " duous ends, some irregularities may
 " have occurred, which the nature of
 " the country, the extent and multipli-
 " city of objects, or the exigency and the
 " pressure of the time may have occa-
 " sioned, these are the tax which is com-
 " monly paid for the efficiency and vigour
 " of public measures. These I leave to
 " your judgment, and abide the censure
 " which you shall think they deserve. It
 " may perhaps blunt your censure, it will
 " at

“ at least alleviate my feeling of it, to re-
 “ flect, that by those means, in which
 “ my accusers may find imperfections and
 “ error, I have saved an empire to my
 “ country.”

Such was not the kind of defence on which Mr. Hastings chose to rely. He stepped from behind that shield which the opinion of his services and the gratitude of the Public might have spread before him, and challenged an enquiry into every separate transaction which his accuser had detailed against him. He gave to the House of Commons and to the Public a particular and elaborate answer to every article of the charge which Mr. Burke had exhibited. That answer was unfortunate in some points, and as to these Mr. Hastings was afterwards obliged to depart from it. This threw a discredit on his defence in general, while the mode of it remained as objectionable as before. It obliged the House of Commons to pronounce on each separate individual charge on which Mr. Hastings was thus at issue with his accuser. After an assiduous and impartial examination of the evidence, their decision was unfavour-

favourable on many of those articles ; and in consequence the impeachment was voted.

That impeachment is still depending, and in such a stage of the business it were improper to enter more particularly into its nature or its progress. It has produced one important consequence in settling the constitutional point of the *non-abatement of an impeachment by a dissolution of Parliament* ; a point which it is for the honour of the times, that the Ministers of the Crown warmly contended to establish. The adherents of Mr. Hastings, with a friendship almost always misapplied, a zeal almost always mistaken, resisted the continuance of a proceeding, by which alone the honour of that gentleman could be cleared from the attacks which had been made upon it ; and on some subsequent occasions seemed to resent the opinion which the immediate officers of the Crown had given on that subject, so much to the honour of their unbiassed integrity. On the other hand, the long continuance and enormous expence of this prosecution have impressed the

the Public with an idea of the hardship of the proceeding by impeachment, and brought somewhat of odium and disrepute on this great prerogative of the people. But it is not the less salutary in its existence, though in this particular instance it may have been a hardship on the individual. That it should be sparingly exerted is equally suitable to its dignity and its justice; but that it should be capable of exertion, is important to the purity of public trust, to the safety and the freedom of the community.

SECTION II.

TRADE.

Irish Propositions.—Commercial Treaty with France.—Consolidation of the Customs.—Trade with America.—Comparative State of Trade and Navigation.

ANOTHER part of the empire which, equally with India, seemed to require the
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immediate attention of Government, was Ireland. At the period of distress and embarrassment which Great Britain felt during the course of the late unfortunate war, Ireland had wrung from our weakness or our fear, what our justice should have formerly allowed her, a participation of the benefits of commerce with foreign countries, and with our colonies. But the commercial intercourse between this country and Ireland was liable to a variety of restrictions and prohibitions, of which Ireland then loudly complained, as tending to create an inequality in the encouragement of the national industry of the respective countries; and which inequality she threatened to take measures of an unfriendly sort to overcome. To remove this ground of complaint; to adjust the commercial intercourse between the two countries on a fair and equitable footing; to unite both kingdoms, if possible, by reciprocal advantage, and to take away that sort of mutual jealousy and alienation which the prohibitions against a free interchange of the commodities and manufactures of each necessarily tended to create, were objects which had
been

been particularly recommended to Parliament from the Throne, and which every person wishing well to the happiness of either country could not fail to desire. With a view to attain these objects, certain propositions had been brought into the Irish Parliament by His Majesty's Ministers in that country, on which a set of resolutions had been adopted by the Irish Parliament, which were soon after submitted to the consideration of the British House of Commons for its acquiescence in the general measures they suggested. The basis of these resolutions was, as the first of them expressed, the extension and encouragement of the trade between Great Britain and Ireland, so important to the general interests of the empire; and a settlement and regulation of the intercourse and commerce of the two countries on permanent and equitable principles for the mutual benefit of both. The particular propositions arising out of this general principle were briefly as follow :

That foreign articles should be importable from either kingdom into the other under the same regulations and duties as
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when imported directly from the place of their growth or manufacture.

That on articles of the produce or manufacture of either country, no prohibition should exist to prevent their importation into the other country, and that if subject to a duty, such duty should be equal in both countries. That for this purpose, articles charged in either kingdom with an internal duty on the manufacture, or a duty on the material of which it is composed, should be charged on importation from either kingdom into the other with a duty equal to such internal tax on the manufacture, or to an amount to countervail the duty on the material.

That in order to give permanency to the settlement, no prohibition or additional duties should hereafter be imposed in either country on the importation of any articles of the produce or manufacture of the other, except what might be necessary to balance the duties on internal consumption before mentioned; and that no such prohibition or additional duty should be hereafter imposed in either kingdom on the exportation of any native article to the other, except
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where prohibitions already exist which are not reciprocal, or duties which are not equal. And the same regulation was adopted to equalize bounties.

That the importation of foreign articles into either kingdom should be so regulated from time to time as to afford a preference to the importation of similar articles, the produce or manufacture of Great Britain or Ireland.

In return for the benefits which she was supposed to receive from this commercial regulation, Ireland agreed to contribute towards the naval force of the empire, whatever sum the *hereditary revenue* of that kingdom should produce beyond 656,000l., which was its amount at the time.

Between the time of the first introduction of these propositions in the House of Commons, and the day to which their consideration was adjourned, a report was laid before the House from a Committee of the Privy Council, (now the only substitute for the Board of Trade, abolished by Mr. Burke's reform bill,) who had been assiduously employed in considering the effects of these propositions, and in

examining many of the principal merchants and manufacturers with regard to their probable tendency.

Mean time the natural jealousy of trade, even exclusive of the alarm which party opposition might be supposed to excite, had prompted several meetings of persons interested in the articles of commerce and manufacture to which the propositions related; in which meetings their effects on the home and foreign markets for such articles were canvassed. Many of the principal manufacturers were examined before the Committee of the House in addition to the evidence which had before been taken by the Committee of Privy Council. It is but justice to those gentlemen to remark, that most of them delivered themselves with a candour and liberality, as to the probable competition of Ireland, beyond what has been generally allowed to the prejudices of professional character; though in some instances perhaps there appeared a tincture of that spirit of monopoly which dreads any chance, however distant, of the participation of others in its profits.

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From the information thus obtained, many new lights were thrown upon a subject of a very extensive and complicated kind; and the Minister was enabled, at the distance of several months from the first introduction of the propositions, to lay before the House a set of resolutions formed, with considerable alterations and corrections, with respect to the detail of the general propositions transmitted from Ireland. These consisted principally in the following particulars :

A stipulation for the exclusive trade of the East-India Company, by Ireland's being debarred from trading to any of the countries beyond the *Cape of Good Hope* to the *Straits of Magellan*; giving however certain advantages to Ireland from the commerce of that Company, by allowing it to freight ships from that country, to send its vessels to Ireland in their voyages from Britain, and to take on board there the commodities and manufactures of that kingdom.

A security for the execution of navigation laws which Great Britain should find it necessary to enact for the increase and encourage.

encouragement of her marine, by stipulating that the Legislature of Ireland should pass the like laws in order to impose the same restraints, and confer the same benefits, on the subjects of both kingdoms.

A protection against introducing foreign spirits, that is, spirits not the produce of our own colonies, into Great Britain from Ireland.

Certain provisions for the security of the revenue in both countries, by the use of bonds, cockets, and other custom-house instruments, in the trade between the countries; and of plantation certificates for West-India commodities imported from Ireland into Great Britain.

An exception of corn, meal, malt, flour, and biscuits, from the free importation stipulated for the articles of the one country into the other; restrictions on these articles being deemed necessary to be allowed in time of scarcity, incidental to either country. A stipulation was likewise annexed to the proposition for a reduction of the duty in the kingdom where it was highest, to its amount in the kingdom where it was lowest, provided such reduction should
not

not bring it down below the rate of 10½ per cent.

An equalization in the two countries of duties and burthens on the imports from, and exports to, the British colonies in the West Indies and America, or settlements on the coast of Africa; and a like equalization on goods imported from the North-American states.

To these propositions, brought before Parliament in this amended form, a very violent opposition was made. A variety of objections were urged against those which related to foreign commerce as well as those which regulated the mutual intercourse between the two countries. “The former, it was said, exposed this country to the danger of having the produce of her own colonies brought to her market through the medium of Ireland, which would thus reap the advantage of being the carrier for Great Britain if she did not even import them on her own capital. In the last case she could send her manufactures to the colonies cheaper than England, and by exchanging them for colony produce, undersell this country. That there
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was a farther and still greater danger from the smuggling of foreign colony produce from Ireland into Great Britain under colour of its being the growth or produce of British colonies. That by these propositions we entrusted the execution of our navigation laws to Ireland, whose attention to their observance we could not expect, and whose encouragement to their violation there was reason to fear. That the guard we meant to provide for these laws in the new propositions, by which it was conditioned that the Irish Parliament should pass similar laws for Ireland to those which Great Britain should hereafter find it necessary to enact for the benefit of her marine, was a stipulation which the Irish would never agree to, as it would in fact be a renunciation of that right to legislate for themselves which they had so nobly struggled for and obtained. Against the other part of the propositions which regarded the interchange of commodities between the two countries, it was urged, that the cheapness of provisions and low price of labour in Ireland would give a decided advantage to that country in the sale of such

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commodities. That an emigration of our artificers and manufacturers was on these accounts a danger reasonably to be feared, and that by the encouragement which these propositions held forth to Ireland, we risked the existence of our manufactures, and that very great internal revenue which the state draws from their produce."

"The compensation, it was argued, which Great Britain was to receive for the boons now granted to Ireland was nugatory in the extreme. The hereditary revenue of that kingdom at present yielded little more than one half of the sum now stipulated to be first appropriated to Ireland, after which Britain was only to receive the surplus. That this surplus, if ever it amounted to any thing, would be received by Great Britain in a manner adverse to the wise and salutary guards of her Constitution, which granted money for the executive purposes of Government only by way of temporary supply, and not for a permanent and independent period."

In vindication of this measure, and of its general tendency, it was argued, "that it was only a necessary supplement to those

measures which had been formerly adopted for the purpose of more closely uniting and securing the connection between the two countries, so necessary towards the safety and prosperity of both. Parts of the same empire, Great Britain and Ireland were not to look on the growing prosperity of each other with the unfriendly aspect of foreign rivalry. Connected as they were, it was not to be assumed that whatever one country gained was lost by the other; on the contrary, the fair and equal extension of their industry and commerce would in most cases be the mutual advantage of both countries, and increase the separate wealth, population, and power, of each, as well as the aggregate belonging to both nations jointly, as forming the two great limbs of the British empire."

In the detail of the propositions it was contended, " that most of the objections on the score of foreign commerce, and the intercourse of Ireland with the British colonies, were founded on inattention to the present situation of that kingdom in those particulars. Under the laws at present subsisting, Ireland could freely trade with
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every foreign state, supply them with her produce and manufactures, and bring home theirs in return. She had a similar privilege of a direct trade with the British colonies, and could supply the British market with the produce of those colonies in Irish ships freighted immediately from the colonies to Great Britain. The only advantage therefore which Ireland was to derive from the present propositions in this respect was, that she could land colony cargoes in Ireland, and thence export to Britain the surplus which herself did not consume, for the chance of an eventual market there. It was not likely that by this circuitous trade she could undersell Great Britain in the British market; the only chance she had for an advantageous sale there was, the extravagant monopoly price which colony produce may sometimes bear in this country, of which the reduction is a measure expedient as well as just on the truest principles of policy and of commerce. That as to the danger of foreign colony produce being smuggled through Ireland into this country, besides that the risk would be run only for the chance of the surplus of the

Irish consumption, it was a double risk, first, against the provisions of the Irish, and next, against those of the British revenue laws, which was not near so likely a method for the smuggler to practise as that which at present was open to him, of smuggling articles from foreign colonies into our islands, and thence importing them under false certificates into this kingdom. That the objection, of these propositions trusting the execution of our navigation laws to Ireland, applied to the acts already passed in the 20th and 22d year of his present Majesty's reign, and yet that we had heard of no complaint of any hurtful relaxation of those laws by the Irish officers. To the objection, on the other hand, that Ireland could not be expected to consent to the adoption of our future regulations for the benefit of our marine, because that would be to allow our Parliament to legislate for Ireland, it was answered, that the very reference to the Parliament of Ireland made in the proposition alluded to was an acknowledgement of the independant legislation of that country ; but that the stipulation to adopt similar laws to those which this country

country should enact, was a condition necessary to the common safety and protection of the empire, which depended on the proper support of her naval force; and that it was no more a dependant and absolute obligation on the Irish Parliament than several of the other reciprocal obligations contained in this agreement, or than any stipulation by treaty between two absolutely independant states."

In reply to the objections against the second part of the propositions, relating to the intercourse between the two countries, it was contended in general, " that the nominal cheapness of labour, and the low price of many articles of provisions in one country, was amply compensated by the superiority of skill and of capital in the other. That there was a distinction between the *rate of wages* and the *rate of labour*; and though the first might be lower in Ireland, yet in fact the last was rather cheaper in Britain, as had appeared from the evidence of a principal Irish manufacturer. That the removal of an established manufacture was every where a matter of the greatest difficulty; and that Ireland was

was in a situation by which that difficulty was exceedingly increased. That the duty of $10\frac{1}{2}$ per cent. was a fair protection for the home manufacture, because it was unwise in either country to apply its labour or its capital to any manufacture in which the other could undersell it with the burthen of $10\frac{1}{2}$ per cent. superadded to the necessary expence of carrying it to the market of the neighbouring kingdom. That of the articles at present prohibited from Ireland, or of which the importation is restrained by high duties, the principal are such as England possesses great advantage in, from her having the raw material cheaper or more at command; and that with regard to the others, the equalizing duties in proportion to our excise on the manufacture, would fully protect us from any bad effects which might arise from their introduction into Britain."

The compensation to Britain by an appropriation of the excess of the Irish hereditary revenue, beyond a given sum, to the support of the naval force of the empire, was defended from the charges made against it in both the points of view above stated.

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“ It must from its very nature increase, (it was said), in proportion to the prosperity of Ireland, which she was thus to recompense Great Britain for promoting. The permanent grant of it was a necessary exchange for the permanent benefits it compensated; and being subject to the application of Parliament, could never tend to that unconstitutional relaxation of the checks on the executive power which was held forth by the opposers of the measure, as a danger to be apprehended from its appropriation.”

Such were the principal arguments urged on either side in a question equally delicate and momentous to both countries. After a discussion of several months the propositions were assented to by a large majority of both Houses of the British Parliament: and a bill founded upon them was brought in, and read a first time before the close of the Session of 1785.

It remained to procure the assent of the Parliament of Ireland to those propositions now returned to them with the amendments deemed necessary to secure an equality in the agreement to Great Britain. In the Parliament of Ireland they were
opposed

opposed as strenuously as they had been by the minority in that of Britain. The commercial mischiefs to be apprehended from them to Ireland were now argued as decidedly on that side of the water, as the disadvantages which they were to produce to the sister kingdom had been held forth on this. The pride of newly-acquired power rejected any thing which looked like an infringement on the national independence of Ireland. Great offence was taken at the supposed attempt to trench on the legislative authority of her Parliament; and the appropriation of the surplus of her hereditary revenue, low as it stood in the present period, was considered as equally derogatory to her dignity, and disadvantageous to her interest. The order for bringing in a bill for carrying the propositions into effect was carried by so small a majority, that the officers of the Crown in Ireland did not think it proper to persist in a measure repugnant to the wishes of so considerable a part of the representatives of the people.

Such was the reception of those propositions in Ireland. It had been imagined
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by men who had considered this subject with the calmness of philosophy and experience; that any measure which connected Ireland with a country so much more advanced in civilization, in arts, in commerce, and manufactures, as Great Britain, would be received with avidity. It is no part of the plan of this work to enter into an invidious detail of the circumstances which counteracted the natural influence of these considerations; from whatever causes they proceeded, it must be the deliberate judgment of history, that they obstructed a measure, the consequences of which would have been highly beneficial to Ireland as well as to Great Britain.

Another measure adopted by the late Parliament, founded on the same liberal principle, but of a more fortunate issue than the preceding, was the commercial treaty with France.

National prejudices, in conjunction with those of commerce, had hitherto shut the markets of France and England respectively against many of the commodities of the other. Between those countries there

was a war of prohibitions and high duties, which, in most articles of their mutual consumption, threw the trade into the hands of smugglers. The publications of an author, in whose mind, beyond that of any writer of his time, was genius chastened by wisdom, and wisdom enlightened by knowledge, had changed in a great measure the opinions of mankind on the subject of commercial restrictions, and shown how much was to be gained by restoring to trade its natural freedom, by which the surplus commodities of one country could be fairly exchanged for those of another. France and England felt in a particular manner the justice of his doctrines; and it was an article in the peace of 1783, that the two countries should take measures for settling a commercial treaty between them.

In pursuance of this agreement, Mr. Eden was dispatched to Paris in the beginning of the year 1786, to negotiate a treaty of navigation and commerce with France. That treaty was concluded on the 20th of September in that year. Particular notice was taken of it in His Majesty's

jeſty's ſpeech on opening the ſeſſion in January, 1787; and it was ſoon after laid before Parliament for the purpoſe of their taking ſuch meaſures as might be neceſſary for carrying it into effect.

The provisions of this treaty were calculated to take off thoſe reſtraints which the two countries had heretofore mutually impoſed on their commercial intercourſe with each other—to give to the ſubjects of either country that protection for their perſons and properties which is dictated by the liberal humanity of modern times—to eſtabliſh a Tariff to fix the rate of duties, which for the moſt part was not higher than 12 per cent., on the importation of thoſe articles of the produce or manufacture of the reſpective kingdoms which were moſt likely to be the leading objects of their commerce—to put on the footing of the moſt favoured nations the goods not particulariſed in that Tariff—and to avoid by ſtipulations of a friendly ſort the occaſions of miſunderſtanding and quarrel, which might chance to ariſe in the navigation or commerce of either power with other countries.

In the discussion which this treaty met with in Parliament, considerable objection was made to it in a political view, as tending to throw Great Britain into the arms of France, and to blunt that wholesome jealousy which this country had always entertained of her rival nation. “ France, it was maintained, was the unalterable political enemy of Great Britain, and indeed the political enemy of the liberties of every state of Europe. Amidst the levity and mutability of her national manners, her cabinet had pursued an uniform invariable system of universal dominion. In this system she had been checked and baffled by the opposition of England, whose power had often rescued the liberties of Europe from the attacks of her restless ambition. It was unwise therefore to agree to any measures tending to abate our national distrust and jealousy of France, which had so often afforded a barrier against her encroachments on the liberty and independence of the nations around her.”

In a commercial view the treaty was opposed as a rash and unadvised alteration of a system under which this country had attained

attained a very high degree of eminence and prosperity. " The great advantages we possessed ought not, it was argued, to be staked against the prospect of distant and speculative benefits. In our commercial intercourse with France, we are to take her produce which is exclusively hers, and in which, from soil and climate, we never can rival her. But in the articles of our manufactures, she has already made considerable progress, and in a little time will be able to enter into competition with this country. The Tariff established between the two nations, would, it was observed, cause a great and immediate diminution of our revenue by the lowering of the duties on the staple commodities of France, her wine and brandy, and the consequent abatement that must be made on the rum of our own colonies, and the wines of Spain and Portugal."

The danger to which this treaty with France exposed our commerce with other countries, and particularly with Portugal, was strongly urged by the members in opposition. The importance of a rigid adherence to the Methuen treaty, was argued
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from the advantages which it afforded us in a great annual balance of trade in our favour, besides the acquisition of two millions of pounds of cotton, the raw material of one of our most valuable manufactures.

The arguments for the measure were drawn from the relative situation of the two countries, which pointed out, it was said, in the strongest manner, the advantages to be derived to both from a mutual exchange of their respective commodities. “ By nature France was much more richly endowed than Britain ; but the equality of our laws, and the freedom of our Government, gave to our enterprises an energy, to our industry an animation, which fully balanced these advantages of soil and climate. France had her produce to send to Britain ; Britain her manufactures to barter with France. Such interchange, it was argued, was peculiarly favourable to Britain, who obtains a market of 24 millions of people in exchange for one of 8 millions. France gained a market for her produce, which employed in its preparation but a few hands, gave little encouragement

ment to the navigation, and comparatively but little increase to the revenue of the state. Britain opened a market for her manufacture which employed in their immediate operation a great number of her people, and in their distant effects, the importation of raw materials and consumption of various commodities, paying internal duties, contributed most extensively both to the public force and the public revenue."

" In its political aspect, it was argued, the treaty promised that most essential advantage to both nations, the promotion of a friendly intercourse between them, and the removal of that sort of prescriptive animosity which had been the cause of so many wars destructive alike to both countries. The doctrine of unalterable hostility between two nations was reprobated as the weakness of vulgar prejudice, neither founded on the experience of nations, nor the history of man. But even if this argument, implying a satire on our species, and a libel on political institutions, were allowed, the present treaty would not be affected by it. It gave up none of
our

our political power to France ; it weakened none of our national energy ; it lessened none of our national revenues ; on the contrary, as it increased our commerce, it necessarily added to both."

" The danger of an interference with our commerce with other nations, it was said, was perfectly unfounded. The instance of Portugal so much insisted on by the opposers of the treaty, did not in the smallest degree apply. Explicit provision was made for the fulfilment of our engagements with Portugal. The interests of that country and Great Britain are reciprocal, and therefore it is to be presumed that the good sense of both countries will attend to them. But if there had appeared on the part of Portugal any inclination to deviate from the spirit of the Methuen treaty, the ministers of England would be more likely to obtain a fair and full execution of it, having this commercial arrangement with France in their hands, than they could expect to obtain without it.

" The probable effects of this treaty on our revenue were argued as precisely opposite to those which the members in opposition

tion predicted. When it was considered that the present high duties on our French articles of consumption threw by much the greatest part of the trade in those articles into the hands of the smuggler, from which France drew all the benefit which she would do on a lawful importation, while we lost the whole produce of the duties due on such commodities, it was a well-warranted conclusion that our revenue would be increased, instead of being diminished, by the lowering of the duty on the articles specified*."

To the alledged danger to our manufactures a general answer was given, " that the manufacturers themselves, generally quick sighted and attentive to their interests, had, on this occasion, acquiesced in the provisions of the treaty, and several of them had indeed signified their approbation of the measure, as one calculated to increase and encourage the industry of this country."

* How this has turned out in experience, see afterwards under the subject of Finance.

In one of the debates on this treaty in the House of Commons, Mr. Burke expatiated, in that glowing language for which he is so conspicuous, on the advantages and influence of *British capital*. "The powers of this capital," he observed, "were irresistible in trade: it domineered, it ruled, it tyrannized in the market: it enticed the strong and controlled the weak." It could only be from party prepossession that a mind so penetrating and comprehensive as that of Mr. Burke did not see how strong an argument this afforded for that extension of the sphere and operation of this capital which was furnished by the treaty in question. His extravagant ingenuity suggested the danger arising from that sort of partnership which an open commercial intercourse might give to France in the English capital, and attributed to the French Councils the depth of such a design, for which they were content to allow to England some temporary advantage in the present commercial stipulations.

It was remarkable, that in the debates on the French treaty pointed reference was made

made by the minority to the *Irish Propositions*, and to the opinions of the manufacturers on that subject, from which they argued a similar danger to the British manufactures from the present measure, though the manufacturers themselves, tempted by the prospect of immediate advantage, had not come forward to state it. Administration, though they still contended that the objections against the Irish Propositions were ill founded, endeavoured also to show the difference between the two cases, and to refute the analogy observed between them. That there were differences between the two cases must be allowed. On one hand, the Irish were to receive some advantages which the present treaty did not give to the French; and Great Britain had not in the proposed intercourse with Ireland the same prospect of an immediate and extensive market as in that with France. On the other hand, her close connection with her sister kingdom placed her communication with that country in a very different point of view; the benefits to be derived by Ireland flowed not, as might be argued of those to France,

in a rival or adverse channel, but would naturally tend to the general prosperity of the empire. But, to an impartial observer, the leading principles of both cases were the same; the extension of productive industry, and the intercourse of beneficial commerce between the two kingdoms. An impartial observer of the present time will argue from what are the effects of the French treaty to what would have been the effects of the Irish, the mutual advantage of both countries.

To the common eye, however, this mutual advantage is not always visible, and ancient prejudice does not easily give way to truths which contradict her habits of thinking, however demonstrative they may seem to wisdom or philosophy. It is, I believe, a fact pretty well known, that the cotton manufacturers of Normandy remonstrated with *M. de Vergennes* on the ruinous effects which the proposed Commercial Treaty with England would have on their establishments. That sagacious statesman replied, that if the stipulated duty of 12 per cent., added to the expences of transport on the English commodities, were not sufficient

sufficient to protect those of Normandy, it was a proof either that industry was wanting to the success of the latter, or that their industry was misapplied to an improper object.

A measure coeval and connected with the Commercial Treaty was the Bill for the *Consolidation* of the Customs, Excise, and Stamp Duties. The branches of those revenues, particularly of the Customs, were composed of such a number of minute and complicated imposts, which had been laid on at different times, as the necessities of those periods required, that to compute the total aggregate of duty on any article was a matter of much intricacy and difficulty, and no man who was not constantly employed in the practice was equal to it. This had thrown such computation and charge entirely into the hands of the officers of the revenue, on whom the merchants were, therefore, in a great measure, dependent for its accuracy; and from the same cause there was a sort of agency established in the former for the affairs of the latter,

ter, improper in their respective situations. The plan, therefore, which this bill adopted was to abolish those various and complicated branches, and to substitute in their stead one single duty on each article, equal in its amount to the total of such branches. By a reference to this single charge in the tables containing the different articles of merchandize, the duty due on each was instantly ascertained, and all the inconvenience, difficulty, and delay, so long felt and complained of in such business, were removed. The Public gained, on the whole, a small advantage by this measure, as on most of the articles where a fraction was found in the total of the branches the integer sum immediately above such fraction was adopted. This trifling addition was more than compensated to the trader by the facility which it afforded in the transaction.

This measure was so obviously expedient, that all parties concurred in its approbation. To a man conversant in the subject of revenue regulations it might perhaps suggest another, in some degree congenial to its spirit and tendency, a Consolidation

solidation of the *Laws*, as well as of the duties of the various departments of the public revenue. These are now so numerous and so complicated as to form one of the largest and most difficult parts of the national code, and from the various references with which each subsequent statute is loaded an obscurity and perplexity attends them, often embarrassing to the officer or oppressive to the trader in the execution of their provisions. The task of reducing these into a system, and forming a revenue code, simple and uniform in its exactments, would indeed be a business of considerable difficulty, and might not meet with so favourable a reception as that just mentioned from the different parties concerned in its effects. But it would certainly be a useful and not an impracticable task, and might be performed under the auspices of a vigorous and popular Administration.

Under the subject of Commercial Arrangements may be mentioned the regulations for the trade with America, which
was

was one of the earliest proceedings of the Parliament of 1784; for this, in the new situation which the independence of America presented, it was necessary to provide in such a manner as to give to the trade of the country, and her still remaining colonies, every advantage which intercourse with the American States could produce, yet so regulated as to increase the marine of Great Britain, and to draw to the parent state those benefits which she had formerly bestowed on provinces now severed from the empire. The regulations for these purposes were first provided for by orders in Council, under authority of temporary acts of Parliament, and were afterwards, in 1788, settled by a permanent statute. These were an allowance of the immediate transportation of lumber (*i. e.* timber, barrel staves, and several other articles of the like nature, which are immediately necessary to the trade and manufacture of the West-India islands) from America to our islands, but that importation confined to British ships navigated by British subjects. The direct exportation of sugar and other articles of the produce of these

these islands is allowed to America, but under the same condition of its being carried in British vessels, conformably to the salutary principle of our navigation law. By these provisions, and the allowance of her bringing her produce to Great Britain in her own vessels, America has that degree of favour with this country which it seems so expedient to allow her, while the restriction which is certainly the most useful, or, as some later political œconomists maintain, the only useful, restriction in our commercial system, is kept up in favour of the marine of this country. The anxious provisions of our law for the encouragement of our navigation have been enforced by several statutes passed in this Parliament, containing regulations with regard to *shipping*, which seem to be formed on a very perfect knowledge of this great national object, without the severity which has been sometimes complained of in laws of that kind, as affecting the interests and embarrassing the transactions of fair and extensive commerce.

The commercial intercourse with America is an object of the first importance to

Great Britain. America is now, and will probably for a considerable time remain, in such a situation as affords an extensive market for the produce of British industry and manufacture. The natural fertility of the soil of most of the provinces of America, and the great quantity of unoccupied ground which these contain, will give to their industry and capital a natural tendency towards agriculture. It will be long before they will leave that first stage of labour for the more complicated business of manufacture, or the distant speculations of commerce. They will find in the manufactures of this country what the wants of such a situation require, for which their natural produce may be advantageously exchanged; and the increasing population to which the agricultural state is peculiarly favourable will increase the number of consumers for those articles which the British artizan or merchant can afford them. To the British artizan or merchant they will naturally be directed not only by the superiority of the articles which these can afford them, but by two circumstances which must always have a powerful effect

in associating and connecting the two countries, a common language and a common religion. This amicable and mutually advantageous intercourse has already begun to heal that animosity which rankled in the bosom of America from the recollection of the late unfortunate contest; and it is some compensation to this country for the loss of honour and waste of treasure with which that contest was attended.

To what extent the policy of those commercial regulations, of which the foregoing sketch has been given, has contributed to the present state of the trade of Great Britain, it may not be easy precisely to determine. That they have essentially contributed to it is a conclusion which will naturally be drawn by the unprejudiced. The result, however, from whatever cause it may be held to arise, it is highly gratifying to state. It appears, from the latest and best authenticated accounts, that the increase of the trade and shipping of this country, since the conclusion of last war, has been greater than the most sanguine ideas could have reached. In the year

1783 there were cleared outwards from the various ports of the kingdom, of

British vessels, - 7329

Foreign, - - 1544

In the last year of which an account has been taken, to wit, in 1790 the number was as follows :

British, - - 12,762

Foreign, - - 1,140

Of our imports and exports, during the same period, the increase has been proportional.

In 1783 the value of our im-

ports was - £. 13,122,235

In 1790 - - 19,130,886

In 1783 our exports amount-

ed to - - 14,756,818

In 1790, to - - 20,120,121

It will not escape observation, that though the increase of either sufficiently marks the growing commerce of the State, yet the great augmentation of our export trade is a flattering proof of the thriving situation of our manufactures and the demand which is made for them in foreign markets.

SECTION

SECTION III.

FINANCE.

Commutation Act.—*Reduction of Duty on Spirits.*—*Excise upon Wine and Tobacco.*—*Act for the Prevention of Smuggling.*—*Manifest Act.*—*Act for appointing Commissioners to audit the public Accounts.*—*Regulations respecting Revenue.*—*Additional Taxes.*—*Act for applying the Annual Million.*—*Comparative State of Revenue and Expenditure.*

THERE is no department of public business to which the Parliament of 1784 paid a more unremitting or a more successful attention than that of *Finance*.—A Report of a Committee, instituted for the purpose of inquiring into the abuses of Smuggling, was given in to the House of Commons before the close of the preceding Parliament ; but the situation of affairs at that time was such as to suspend any measures

tures for checking these abuses ; they were consequently left to the active exertions of the succeeding Parliament. It will be satisfactory to the Public to trace their effects.

The great articles on which the enormous frauds, reported by the Committee, arose, were *Tea, Spirits, Wine, and Tobacco*. To these, therefore, it was necessary for Parliament to direct their particular attention. The two first were already subjected to every regulation and restraint which the mode of levying and securing duties by excise, provides against fraud. But in articles of general consumption, if the duties are high, the encouragement to smuggle overbears the risk, at the same time that it sharpens ingenuity to defeat the provisions of the law. In such cases the lessening that encouragement by a diminution of the duty, is the only means left to prevent smuggling.

With regard to the first of these articles, *Tea*, this object was endeavoured to be attained by the act of Parliament passed in 1784, known by the name of the *Commutation Act*. It was an experiment in finance which had been distantly proposed at various

rious periods, and which the necessity of counteracting the alarming frauds reported by the Committee, now induced the Minister at the head of the Treasury to bring forth for the sanction of Parliament. The quantity of tea annually smuggled into the kingdom appeared, by the best-founded calculations, to be not less than twelve or thirteen millions of pounds weight, double the quantity legally imported by the East-India Company. To take away from the smuggler the advantage under which this very great importation was made, the plan of the act was to lower the duties on tea to about one fourth of their former amount. But as that would cause a defalcation of revenue of about 600,000*l.*, it was proposed to compensate this by an additional duty on houses and windows. The principle of the new tax, it was contended, was as nearly that of commutation, as it could be said to be in the case of any new duty on two different subjects, because tea being now, by the habits of life, become a necessary of universal consumption, almost every person paying the new tax on windows, would be freed from an equal amount of the old tax

on tea. This principle of commutation was warmly disputed by the Members in Opposition, tea being, as they contended, a luxury which might or might not be consumed, but lodging and light being necessities which could not be dispensed with. In some few instances this argument might hold, but in general it was certainly true, that the great body of the people received, in the abatement of the duty on the one article, at least an equivalent to the advance on the other. And even if the title *Commutation* should, strictly speaking, be denied it, the broad and general principle was founded in true political economy, that a tax by which a fraud was practised on the public revenue to so enormous an amount, and which tended so much to increase smuggling in other articles, was such as ought to be repealed, and a substitute as little oppressive as possible, and as fairly, universally, and equally leviable, should be provided to replace it. The event justified the policy of the measure. The public has gained in point of revenue on this substituted tax, and the remaining duty on tea, between 62,000*l.* and 63,000*l.* per annum; but

but its operation has been infinitely more important in contributing to the general suppression of smuggling, and the great augmentation of other branches of the revenue; besides the extensive commercial advantage to the nation of importing directly for ourselves this very great article of our consumption, a large portion of which was before supplied through the channel of the smuggler by foreign countries. The relief which this measure also afforded to the finances of the East-India Company, in which the nation is materially interested, is an additional proof of its wisdom and utility *.

The

* The increase of revenue arising from the Commutation Act upon a comparison of the average produce of four years succeeding it, with the average produce of five years prior to it, is ——— — £. 79,907

But it is fair to deduct the sum by which the average produce of the old window duty fell short of its average produce prior to this act ——— ——— 19,139

Increase 60,768

But

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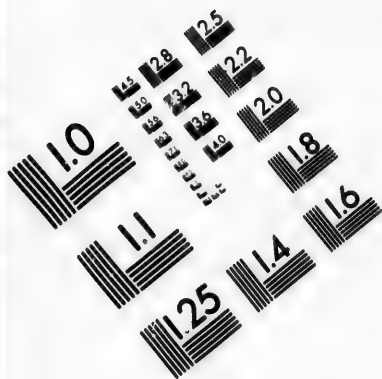
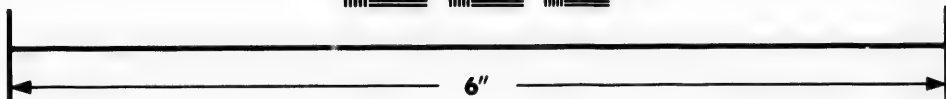
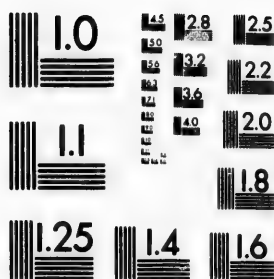


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The same principle of taking away the temptation to smuggle by lowering the duty on legal importation, was adopted on the article of *Spirits*.

The

But the most important advantages which the public have derived from this act are as follow :

1st. The increase of British shipping, taken upon an average of the last five years, compared with five years immediately preceding the passing of this act, is 14,089 tons; some of this shipping was taken up at a high freight; but at the present freight, which is on an average 22 l. per ton, the annual amount of the increase would be £. 309,952

2dly. The total value of exports to China,
from 1776 to 1783, was £. 995,673
From 1784 to 1791 — 6,698,221

The amount of the value of the
increase is — — 5,702,548
Which on an average is annually — 712,812

The private trade has likewise
much increased.

3dly. Since this act passed, being
seven years and an half, there
has been sold 121,730,453
pounds of tea, which, duty
included, fold for 21,058,497

The

The stipulation with regard to the Brandy of France in the *commercial treaty*, lowered, of course, the duty on that article; but the object of effectually preventing smuggling made it desirable to reduce the duty even lower than to the stipulated amount, and with the same view it was necessary to make a proportionate reduction on other species of foreign spirituous liquors.

The same quantity of tea, and of the same quality, at the average price of tea ten years prior to the act, (including the duties) would have amounted to ————— 40,876,730.

The conclusion from this is, that there has been a saving to the public upon the amount of what the same quantity of tea would have sold for at legal sales, if the Commutation Act had not passed of ————— 19,818,233.

The average upon seven years and an half is ————— 2,642,430

And this gain is to be set against the charges brought upon the public by the imposition of this tax.

Yet so far was this reduction from having any effect prejudicial to the revenue, that on the contrary the duty on the article of spirits increased after such reduction of its rate, to a very large amount. In 1786 the total net produce of the duty on foreign spirits was 713,376l.; whereas in 1790 that produce amounted to the sum of 1,082,264l.—an increase of no less a sum than 368,888l. Besides this gain to the revenue, the same sort of advantage as before observed on the *commutation act*, is in some measure produced by every fair trade, in opposition to a contraband one; that in the first, the national merchant profits, and the national seaman is employed; in the latter, the foreign or the outlaw smuggler derives the chief profit of the trade, and the capital centers in a foreign country.

In the two other articles which have been before mentioned of wine and tobacco, the effect of excise regulations which appeared applicable to both had never been tried. This experiment with respect to wine was made in the year 1786, and succeeded so well, that notwithstanding the lowering of the duty in consequence of the

the

the commercial treaty with France, so considerably below its former rate, the total amount of revenue received for that article has annually increased; the average receipt for three years prior to the commercial treaty, and the excise regulations, having been 625,454*l.*, and that for three years posterior to those events 714,010*l.*, and in the year 1790 804,167*l.*

The regulations of excise were likewise, in the year 1789, extended to the article of tobacco; and though the provisions of this bill have not yet been completely effectual, and tobacco is still one of the very few articles in which a contraband trade continues to be carried on, the benefit nevertheless has already been extensive, and such as fully justifies the measure. The duty on tobacco on an average of three years, immediately previous to the commencement of this act, amounted to the sum of 505,708*l.*, and the drawback 81,996*l.*; whereas the amount of duty in the year 1790 was 676,273*l.*, while the drawback has increased only to 86,027*l.*

But the Parliament of 1784 was aware, that though the reduction of duty upon particular

particular articles would effectually counteract the smuggler with respect to such articles, yet that smuggling prevailed to so alarming an extent, as to threaten the total ruin of the public revenue, if such measures were not taken as would effectually suppress the general practice of it. With this view a bill was introduced in the year 1784 for the better prevention of smuggling. The objects of which were, to extend the hovering laws, enabling the officer to seize vessels employed in smuggling at a greater distance from the shore—to prohibit the building or navigation of vessels of a certain description, known to be those employed by the smuggler—to prevent vessels, when lawfully condemned from being sold as they formerly had been, in a manner which enabled the smuggler to recover the possession of them—to suffer no vessel to be armed beyond a certain extent without a license from the Admiralty—to regulate the clearances of vessels of all descriptions—and to enlarge the powers of seizure, by authorizing revenue officers to seize vessels, having on board contraband
 commo-

commodities in packages of a smaller bulk than allowed by law.

These were the principal regulations of this bill, and its effect was to check, in a great measure, that branch of smuggling which at that time was carried on, in notorious defiance of the law, to a greater degree than had ever before prevailed in this country.

To the same object the attention of Parliament was directed in passing the Manifest bill in the year 1786. Frauds to a considerable extent were practised by the masters of such as were apparently regular trading vessels; to prevent which, the bill requires every master of a trading ship to produce the manifest of his cargo, containing every article of which it consists, and prohibits the importation of goods into Great Britain, without the production of such manifest. The act likewise makes some very important regulations to check the frauds practised in the exportation of goods entitled to drawback or bounty — and gives to the Commanders of his Majesty's ships a power to seize vessels or goods subject to forfeiture.

It is impossible to ascertain what precise effect these acts have had in the increase of our revenue ; but it is well known, that they have answered the purposes aimed at by the Legislature ; and it is probable that a great part of the increase arises from their beneficial effects.

Besides these measures, which were directed to the improvement of the permanent revenue, an equal attention was shewn to other objects connected with general principles of economy, and tending to give the public the benefit of other resources which might be applied in aid of the annual taxes to meet the necessary expences.

It is now scarcely credible, that, prior to the year 1785, the public accounts of the kingdom were passed in either of the offices of the auditors of the imprest, who acted by deputy, and this single person decided on the particulars of the account. Without any reflection upon the character of whoever might be in such a situation, the impropriety of accounts between Government and individuals, in which millions were frequently to be decided upon, being examined in this manner, must strike every

one who considers the subject, were large balances remained due to Government—many accounts were unsettled, and, perhaps, others passed without the necessary investigation which accounts of this importance required. The act of 1785 appointed five Commissioners for the purpose of examining and auditing the public accounts of the kingdom, and invested them with all the powers necessary to render their appointment efficient.

The benefit the country has derived from the appointment of these Commissioners in the regularity of examining and passing the public accounts, and in recovering large sums due to the public, which have been paid in consequence of the steps taken by the Commissioners for that purpose, is the best encomium upon the measure itself, and upon those Commissioners who have so faithfully and diligently carried it into effect.

The same disinterested principle which has governed every proceeding of the present Administration respecting matters of revenue, is observable in the mode of making loans and conducting lotteries. For-

merly the necessity of the public, to avail itself of these means of raising money, was made an engine of corruption, and loans, lotteries, and contracts, were formed, not with a view to the public service, but for the emolument of the individual to whom they were given. The mode adopted during the period included in this work, has been that of receiving public proposals, and accepting the offer which is most advantageous in its turn; the theory of reform is always popular, but it is seldom that, in a Government constituted like ours, that there is public virtue enough in the Minister to bring reform into action, and abridge his own patronage.

Though the regulations above referred to have answered the purposes for which they were made, and proved highly beneficial to the public, it was obvious at the very beginning of this period, that the effect of regulation alone could not render the revenue equal to the expences which had been entailed on the country by the effects of the war; it became therefore an indispensable duty to find productive taxes to such an amount as, added to the benefit derived

rived from these regulations, might render the income equal to the expenditure, and ensure a surplus applicable to the reduction of debt. It is no small proof of the perseverance of the Legislature, and the resources of the country, that productive taxes, to an amount exceeding one million annually, were imposed in the course of the last Parliament; and that although every resource had been supposed to be previously exhausted, they neither interfered with other branches of the revenue, or checked the commerce of the country; both of which, on the contrary, have increased with unusual rapidity.

While Parliament was thus successfully employed in rendering the public revenue more effectual, it was proper, at the same time, to take measures for applying that revenue in a direction most profitable to the State. By the report of a Committee appointed in 1786, the probable surplus of the public income, after paying the interest of the national debt, and providing for the various establishments, was calculated at

900,000*l.* per annum. To this was added 100,000*l.* levied by a part of the additional taxes before referred to, and one million annually; the amount of both was vested in Commissioners, to be appropriated to the extinction of the national public debt, by the purchase of stock, on behalf of the public. The effects of this operation, acting, as it does, with a progressive increase, are beyond what a slight view of the subject would lead one to suppose. The sum paid off at the first of February, 1791, was 6,772,350*l.*; the interest on which amounting to 203,170*l.*, together with 51,634*l.* of expired annuities, amounting in the whole to the sum of 254,804*l.*, are, according to the tenor of the plan, added to the annual million for the reduction of the national debt, and increase at compound interest in favour of the public.

The appropriation of this million is a trust for posterity, and never should be infringed. For contingencies beyond the ordinary and established expence of the nation, the most manly, as well as the most economical mode of provision, is by raising the capital of the sum laid out within a
short

short determinate space of time. Of this an example was shewn, in the last Session of Parliament, on occasion of providing for the expences incurred in our dispute with Spain. These expences amounted to a sum of about 3,000,000*l*. Temporary and productive taxes were provided to the amount of 800,000*l*. per annum; part of which were to remain till a large portion of this debt was extinguished, and the remainder till the whole should be completely discharged, which would be effected in about four years. Except some unforeseen event shall arise, for which the nation cannot provide in this manner, there will be nothing to counteract the rapid effect which the appropriation of the surplus revenue must produce in no very distant period towards relieving the country from a large proportion of its heavy incumbrances.

It will be a subject of just satisfaction and triumph, to every one who feels for his country, to recapitulate the advantages which have been produced within the period of this statement, partly by the measures now detailed, and still more by the natural effects of peace, and the continu-

ally increasing exertions of national industry. Few instances occur in history of so rapid and unexpected an improvement in the situation of public affairs; and the change becomes more striking from having immediately followed a period equally remarkable for as sudden a transition from a state of opulence and prosperity to weakness and distress. A war which was productive of nothing but calamity, and which terminated by the separation of thirteen flourishing provinces from the empire, had, in the course of seven years of fruitless contest, added above one hundred millions to the capital of the national debt. The taxes imposed to defray the interest of this sum had fallen short of the total amount of the interest actually incurred during that period by much more than two millions. They left at the conclusion of the war an annual deficiency in those funds only of near 400,000*l*. The rest of the revenue destined in times of peace to pay the interest of debt previously contracted, or to support the ordinary establishments, had in the mean time declined; and the whole of the annual revenue, including the produce
both

both of the taxes subsisting before the war, and those imposed in the course of it, amounted, at the end of 1783, only to about one million six hundred thousand pounds more than in 1776, though a debt had been incurred in the same period, either funded, or remaining to be funded, the whole interest of which would occasion an addition to the annual and (as it was then thought) the perpetual charge on the public of a little less than five millions*. The total of the permanent *annual charges on the aggregate fund*, including the civil list, and the addition of the interest of Exchequer bills, as they stood at that period, was 10,600,000*l.*, and the total of the *annual revenue* arising from the permanent taxes was about 10,200,000*l.*

In addition to this deficiency there remained the whole burden of providing for the annual expences of the army, the navy, the ordnance, the charges for the plantations, and the other necessary services, the

* The total amount of interest on the national debt at the end of the year 1776 was 4,475,000*l.*, and in 1786, 9,273,000*l.*

amount of which could not be calculated at less than 4,000,000*l*. To meet these charges, the only remaining resource, without recurring to fresh taxes, was the annual vote of the land and malt, which is nominally estimated at 2,750,000*l*., but which in fact produces about 2,550,000*l*. The melancholy result of the whole was, that there existed a deficiency of the actual amount of the revenue below the annual expenditure, on the lowest estimate, of above 1,800,000*l*.

Some relief was undoubtedly, under any circumstances, to be expected from the return of peace ; but it seemed less to be relied upon at this period than at any which had before occurred. Besides the difficulties already mentioned, the public credit (which is the center on which every thing turns, where a large debt has once been created) had sunk even more than the public revenue.

The price of annuities, at an interest of 3 per cent., which, in times of prosperity, had frequently been above par, and seldom lower than 90, had, at the conclusion of the year 1783, or the beginning of 1784, fallen
to

to 55. This depression of credit had swallowed up and annihilated for the time almost half the value of the funded property of the kingdom. The price of lands had sunk from the same causes, though, perhaps, not in an equal degree.

The universal difficulty of obtaining money, and the actual scarcity both of specie and of bullion, had every where checked circulation. There appeared (as it were) a general stagnation in all the exertions of the country; clandestine and illicit trade was the only one which was prosecuted with vigour, and the enterprise and industry which had formerly contributed to the wealth of the nation seemed to be flowing into channels where it could only operate to complete the corruption of its morals, and the ruin of its revenue.

Under these calamitous circumstances even the spirit of the nation was broken, the feeling and temper of people, of all descriptions, resembled the dismay of an army which had sustained some unexpected and disgraceful defeat; when, unless means can be found to revive their courage, and inspire them with fresh confidence

fidence in themselves, they will never again be led to victory and to glory. Every thing depended upon the influence of opinion; but to remove the despondency, and to raise the hopes of the nation, seemed a task as difficult as to retrieve its credit, and to repair its resources. If it were practicable at all, it was thought to require an union of all the talents, and all the efforts of the different parties in the state. But here unfortunately the danger was still increased; instead of either an union in the public cause, or a generous emulation and rivalry in support of the public interest, the nation was torn and distracted by the utmost violence of faction, which for a time suspended the functions of executive government, and even threatened the extremes of anarchy and confusion.

At length, however, the storm subsided, and as soon as there was the appearance of a settled Government, an attempt was made, (under all the discouragements which have been stated), the success or failure of which would be decisive on our future situation. The immense load of unfunded debt which had accumulated during the war pressed
more

more than any other circumstance on the credit of the country; its amount proved near 30,000,000*l.*; yet large as this sum is, the effect of it operated in a still higher proportion, from its being neither liquidated nor ascertained.

In the beginning of the new Parliament measures were taken for funding the whole of this debt, and for providing efficient taxes to defray the charge which it would occasion. This alone was a pledge and earnest to the world of a disposition to encounter all the difficulties of the situation, and to endeavour at least to equalize the public income to its expenditure. A single step of this nature went far to dissipate the gloom which then hung over the country. Men began to recollect themselves, to entertain truer notions of the extent of our resources, and to remember the first duty of good citizens, “never to despair of the republic.”

The succeeding exertions of the country, and the measures taken for the improvement of the revenue, enabled Parliament, as early as the year 1786, after making good the deficiencies before stated, and al-

lotting a sufficient provision for other necessary public expences, to ensure (in the manner already stated) the appropriation of a million annually, at compound interest, to the discharge of the national debt. The commercial treaty with France succeeded, which put an end to a suspense unfavourable both to trade and revenue, and, by opening to us an additional and extensive market on favourable terms, gave a new scope and a fresh incentive to the spirit of industry and commerce.

After these two events the tide was completely turned, and its course ever since has been uniform and rapid.

Our revenue has been gradually rising, and in the last year has exceeded the amount of the year 1783 by nearly four millions sterling. About one million of this sum seems to have arisen, as has been already stated, from the imposition of additional and productive taxes; nearly an equal proportion has accrued on those articles which have been enumerated as the subject of specific regulations; the remainder proceeds from a cause still more satisfactory, a gradual augmentation diffused
over

over almost every branch of the revenue, which can only be ascribed to the increased consumption and the increased wealth of the empire.

We have already seen that a corresponding improvement has taken place in the state of our trade, which both furnishes an explanation of the great source of our advantages and gives us just ground to expect their continuance. In the mean time near seven millions of the capital of our debt have been discharged, a sum larger than has ever been paid off in the longest interval of peace, since the commencement of the century. The sinking fund now applicable annually to the discharge of debt has already grown to about one million three hundred thousand pounds.

The rise in the value of the stocks seems to open the prospect of a reduction of interest on those funds which are redeemable ; and if we were to look beyond the period to which this work is confined, we should perhaps find the prospect still brightening. We may even be allowed to hope that the moment is not distant which may complete the contrast with our former distresses, and
when

when, instead of increasing incumbrances, and impaired resources, we may find our revenue sufficient to accelerate the reduction of the national debt, and at the same time diminish in some degree the burthen of the taxes now levied upon the people.

SECTION IV.

Interference of Great Britain in the Settlement of the Affairs of Holland.

THE internal arrangements of revenue and finance, though not interrupted in system, were somewhat abated in their effects, by accidental occurrences in foreign politics, which obliged Great Britain to interpose in the situation of countries materially connected with our own. It requires but little sagacity to pronounce, that the pacific system now generally allowed to be for the interest of every country, is peculiarly for the interest of Great Britain.

But

But to preserve peace, it is necessary to maintain the dignity of a nation unimpaired; to make her friendship valuable, and her resentment, when unavoidably roused to just resentment, formidable to other nations. It is with states as with individuals; their independance and their power procure them friends and allies. The last unfortunate war had left us without an ally; France had, by mutual advantages, drawn closer the ties of the *family compact* with Spain; and she directed almost at will the councils of Holland. That country, with which, for more than a century before, Great Britain had been connected by numberless engagements, had, for some time past, been devoted to the interests of her rival power, who, seeing the importance of the acquisition, had, with unceasing policy, and at an enormous expence, prosecuted and attained the object of gaining an entire ascendancy in the Dutch Government.

The disturbances which, during the year 1786, and for some time preceding, had prevailed in the various provinces of the Republic, were at last, by the violence

lence of the Anti-*Stadtholderian* party, brought, in the spring of the succeeding year, to the issue of an armed contest. The mediation of France and Prussia had only produced, in its failure, that fresh and redoubled animosity which always attends a fruitless endeavour at conciliation. The province of *Holland* adopted resolutions subversive of the union of the states; and in direct violation of the Constitution of the Republic; those resolutions it prepared to enforce by an army recruited with French soldiers, and assisted in its operations by French officers. A civil war had actually begun in the province of *Utrecht*, and in another quarter; the city of *Amsterdam* experienced a scene of confusion and horror little short of the sack and devastation of a victorious and unrestrained soldiery.

In the progress of those violent measures, which the enemies of the *Stadtholder* pursued, they committed a personal outrage on the Princess of Orange; which roused the resentment, and justified the immediate interposition of her brother the King of Prussia. They refused the satisfaction

faction which that Monarch demanded for the insult offered to his sister, with an obstinacy and a confidence, inspired not less by the hopes of foreign succour, than by the strength of their party in the Republic. The consequent measures of the Court of Berlin are sufficiently known. They were taken with a promptitude and a decision which they could scarcely have possessed without a reliance on that co-operation which Great Britain had resolved to afford in rescuing the Constitution and rights of the United Provinces from the tyranny of a faction as hostile to the interests of this country, as to the established Government of its own. The Court of France was too sensible of the importance of maintaining its influence in the Republic, easily to acquiesce in the defeat of that party by whose means that influence had been so long supported. Its resolution to interfere in support of that party was notified to the Court of Great Britain about the same time that the answer by the States of Holland refusing the satisfaction which the King of Prussia demanded was delivered to his Ambassador. This was one of those critical

junctures in which firmness of councils
 and vigour of exertion were able to obtain
 an object of the greatest importance to the
 future political interests of this country.
 The immediate equipment of a formidable
 fleet, the increase of our own military
 force, and the subsidiary treaty with the
 Landgrave of Hesse Cassell for a body of
 auxiliaries, put this country in a condition
 effectually to counteract the interposition
 of France on the opposite side. The sud-
 denness and expedition of the preparations
 in this country, which actually took place
 within three days of the notification from
 France, and almost at the same moment
 that the Prussian troops were entering Hol-
 land, added not a little to the effect of the
 measure. This decisive conduct, so much
 beyond the energy she had lately found in
 the operations of this country, France ap-
 pears not to have been prepared for, and at
 that juncture, pressed by the embarrassed
 situation of her finances, she was unable
 to withstand it. Awed by the firmness
 of the British Councils, and the instant
 and formidable exertions of her national
 strength, she gave up the Dutch republi-
 cans

cans to their fate; the Stadtholder enjoyed the full fruits of the Duke of Brunswick's ably-conducted and highly-successful expedition, and was reinstated in the fullest powers which his family had ever held since the union of the provinces. In so short a space of time, and from the promptitude with which Government took advantage of circumstances proceeding from causes in themselves inconsiderable, was that ascendancy which France had so long held in the Administration of Holland, overthrown, and Great Britain freed from those dangers which the soundest of her politicians had often predicted from its effects.

When this business was laid before Parliament, the manner in which it had been conducted on the part of this country received the approbation of all parties. The leaders of opposition, while they gave that approbation with a very laudable frankness and candour, remarked the wisdom, now proved by recent events, of that jealousy of France which they had formerly recommended. In point of political forecast, they now ventured to recommend that

P 2

system

system of continental alliance, without which Britain must be left, as was her misfortune in the last war, insulated and friendless amidst a combination of enemies; that system which, tending to preserve the *balance of power* in Europe, gives the best assurance for its tranquillity, and is so essential to the interests and safety of Great Britain.

“ This system, (said Mr. Fox,) which has been sometimes called romantic, is a serious system, and such as it is the interest of this country to be governed by; a system founded on that sound and solid political maxim, that Great Britain ought to look to the situation of affairs upon the Continent, and take such measures upon every change of circumstances abroad, as shall best tend to preserve the balance of power in Europe.” Upon that maxim, he said, he had founded all his political conduct, and convinced as he was of its justness, he should continue to adhere to it.

Mr. Burke declared, “ that he highly approved of the system of measures pursued with respect to Holland, and the re-

newal of continental connections. That was the system on which alone the country could expect to stand with safety and honour. It was during our adherence to that system that Great Britain had been a glorious country, the object of the admiration of other countries. The subsidiary treaty with Hesse, as a single, unconnected measure, he must disapprove, because, by continuing our guarantee to that Prince, we might be involved in a war on his account; but as part of a system comprehending Prussia and Holland, it was a wise measure, and as such it should have his suffrage."

The expediency of this system of Continental connections might occur to minds less enlightened than those of Mr. Fox and Mr. Burke. But the national prejudices of this country are against it. In every country the bulk of the people look not to distant events, nor will easily consent to make provision for them at the expence of present inconvenience. If at any time the tide of this prejudice should run against the measures of Government, it were perhaps more virtue than we are entitled to look

look for in a statesman to contradict that prejudice in favour of a rival. System will probably then be forgotten, or that system only remembered which is paramount to every other, the system of party.

One of the most immediate advantages, though imperfectly known at the time, which Great Britain derived from this successful interference in the affairs of Holland, was the safety of our East-Indian settlements, on which the French party in Holland had meditated a very serious attack, in conjunction with France, and *Tip-poo Saib*, who had lately succeeded his father, the celebrated *Hyder Ali*, in the sovereignty of *Mysore*.

Absolute Sovereign, though under an usurped title, of an extensive and populous empire, the force of which is concentrated for attack, while itself is defended by a barrier of almost impassable mountains; with a restless and unbounded ambition, supported by great abilities, and unrestrained by good faith or principle; with that command over the minds of his followers which is naturally inspired by his own talents, and which receives additional weight from
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the celebrity of his father's name; with an hatred, like that of *Hannibal* to Rome, hereditary and inveterate against the English nation; with an army regularly established, trained by the discipline, and assisted by the presence, of a considerable number of French officers and soldiers—*Tippoo Saib* is by much the most formidable enemy which Great Britain has to fear in Asia. With him, as with his father, France had been at great pains to connect herself. With him, in conjunction with the *Mahrattas* and the *Soubah of the Decan*, it is understood that France, and Holland, under the influence of France, proposed to enter into an alliance offensive and defensive, against the British power in India. And there is great reason to suspect that measures had been actually concerted for speedily carrying the scheme into execution.

The Dutch Revolution, (if that term can be applied to the restoration of the constitutional Government of the United Provinces) joined to the embarrassed situation of France, which indeed was one great cause of the events in Holland, destroyed

stroyed this dangerous combination ! It did not, however, extinguish the restless and ambitious views of Tippoo, who, unsupported by any European power, has engaged in measures of aggression against an old and faithful ally of the British nation in India, under circumstances which will probably lead him to repent the folly and presumption of the attempt.

SECTION V.

Dispute with Spain.

ANOTHER dispute, which threatened to interrupt the tranquillity which Great Britain was so much interested to preserve, was that which arose with *Spain*, on the seizure of some British vessels at *Nootka* Sound, on the North-western coast of America. One of the last great public acts of the late Parliament, was to give its firm

firm and decided sanction to the measures which His Majesty thought it advisable to take, for maintaining the national honour, and protecting the national interests, against the violence which had been offered to both.

The first intelligence of this event came through the channel of Spain itself. At the same time that it transmitted an account of the seizure of one of the ships in question, the Court of Spain justified the detention of the vessel, on the ground that the trade and intended settlement at Nootka, which was the object of the voyage, were a direct violation of the right of the Court of Spain to those territories, founded, as it was said, on original discovery, recognised by solemn treaties, and confirmed by immemorial possession; it even assumed, from these premises, the language of complaint against the subjects of this country, for an infringement of the rights of the Spanish empire, which it prayed His Britannic Majesty to prevent in future. At the same time it signified an approbation of the Governor of Mexico's conduct in releasing, as it was said he had done,

the vessel and crew which had been seized at Nootka, on the ground that nothing but ignorance of the rights of Spain could have induced the subject of any nation to resort to that coast with the idea of making an establishment, or carrying on commerce there.

The extravagance of those pretensions, and the avowed act of injustice and violence to which they had in the present instance given rise, were of themselves sufficient to alarm the ministers of this country; but the arrival of Captain *Meares*, one of the owners of the vessels seized at Nootka, and the narrative given by him of the transaction, shewed the conduct of the Spaniards to have been even of a more hostile kind than the former intelligence had given any reason to suppose. From his relation it appeared, that in consequence of a previous trade opened with the North-western coast of America, under the patronage of the Governor General of India, he had, in conjunction with other British merchants, fitted out two vessels, with which he arrived at Nootka in May, 1788; purchased some ground from the natives
for

for the purpose of a settlement, and had actually built a house, and hoisted the British colours. That in the following year two other vessels were sent by this associated Company, with artificers of various kinds, and other persons intended as settlers at this part of Nootka. That after these vessels had been some time there, and one of them had been dispatched on discoveries to the adjoining coasts, a Spanish sloop of war appeared in that quarter, whose commander, after some mutual civilities which had been employed on his part to disguise the hostility of his design, seized the British vessels, and made the Captain and crews prisoners, whom he treated with a wanton insolence and cruelty which not even an actual state of war would have justified, on the humane and liberal principles of modern times. Accounts were at the same time received of certain warlike preparations of the Spanish Court, which seemed to indicate her resolutions to support the pretensions of her sovereignty, if not to vindicate the acts of her officers.

In this posture of affairs, it became the duty of Administration to take immediate measures for placing the country in a situation to enforce her demands of justice, if the Court of Spain should refuse that satisfaction which this insult on the flag, this outrage against the subjects in Great Britain, required.

Notice of the business in agitation was sent to the different Consuls in Spain; and on the 4th of May, a general and very effectual press took place. It was by this incident that the Public were first led to the knowledge of any dispute between the two Courts; a secrecy of a very uncommon but highly useful kind, having hitherto covered this transaction from the eye of every person except those whose confidential situation made them necessarily acquainted with its progress.

On the 5th of May a message from His Majesty was delivered to both Houses of Parliament, informing them of the seizure of the vessels at Nootka Sound; the demand made by His Majesty for an adequate satisfaction, which had not yet been made or offered, and the claim asserted by Spain
to

to an exclusive sovereignty and commerce in that part of the world. That His Majesty had instructed his minister at Madrid to make a fresh representation on the subject; but having in the mean time received information of considerable armaments in the ports of Spain, " he had judged it indispensablely necessary to make such preparations as might put it in his power to act with vigour and effect in support of the honour of his Crown, and the interests of his people; and expressed his firm reliance on the support of Parliament in taking such measures as might be eventually necessary for that purpose."

The answer was such as might be expected from a British Parliament on such an occasion. If limited monarchies sometimes want that prompt and speedy exertion, of which absolute Governments are susceptible, they possess, on the other hand, that warm, that vigorous impulse, which the sentiment of a free country inspires, when satisfied of the justice of the cause which it is called to support. The answer of Parliament was unanimous and cordial;

cordial; the feelings of the nation were in unison with the voice of its representatives, who expressed their determination “ to
 “ concur with His Majesty in the most
 “ zealous and effectual manner in such
 “ measures as may become requisite for
 “ maintaining the dignity of His Majesty’s Crown, and the essential interest of
 “ his dominions.”

Fortified with this resolution of Parliament, and the congenial spirit of the people, Administration continued their warlike preparations with such earnest and effective dispatch, that in the short space of about two months, a fleet of between 50 and 60 ships of the line was ready for sea. Nor did they seem wanting in foresight of future events, any more than in application to the present emergency. In America and the West Indies, it is understood, they had prepared the different Governors for the possible event of a Spanish war, in such a manner as to prevent any danger of an unlooked-for attack in that quarter where Spain might naturally be supposed most in condition to meditate such an attempt; and though the particular-projects of the
 war

war were studiously concealed, the preparations made sufficiently shewed that it was the intention to carry on the most vigorous operations in the Southern hemisphere.

One of the most immediate objects of attention in the British Government, and one which was attended with the most pleasing success, was the application to Holland for its assistance on this occasion, in virtue of the late alliance with the Republic. The friendship of Holland was not only unequivocally declared, but its assistance was given with an alacrity and an activity which have not been often exemplified in the exertions of a country so constituted as that of the United Provinces. A Dutch fleet sailed to Portsmouth early in the month of July, and provision was made for a speedy reinforcement to this squadron if the exigency of affairs should require it. Assurances are also known to have been received from Prussia, of a readiness to furnish its stipulated succours, in any manner in which they could most contribute to the success and the exertions of this country.

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These were the first fruits of that alliance, which our interposition in the affairs of the Republic in 1787 had produced between Great Britain, Prussia, and Holland, and shewed the policy of a system, which attached to us one of the first military, and one of the first naval powers in Europe.

The formidable preparations which Britain was so soon enabled to complete; the zeal and ardour of the nation; the firmness of its Councils, aided also by the particular situation of France, and its equivocal language on the subject of the family compact, induced the Court of Spain, after some months of explanation and delay, to abate that lofty and unbending deportment which she had held on the first outset of this business. On the 24th of July, 1790, a declaration and counter-declaration was executed at Madrid between the ministers of Britain and Spain, by which the latter agreed to that satisfaction for the injury committed, restitution of the vessels seized, and indemnification to their owners, on which the former had uniformly insisted as a preliminary step to
every

every other adjustment of the present dispute, or arrangement for preventing such disputes in future. But the accomplishment of such future arrangement was an object which it was highly important for Britain to obtain; and which, in the discussion of this affair in Parliament consequent on the King's message, had been mentioned by all parties as a measure which the present circumstances of the two Courts afforded the best occasion to enforce. This was the subject of a negotiation, which from its nature must have been of considerable difficulty, and which was not finally settled till the 24th of October. On that day a Convention was entered into at Madrid, between the ministers of Great Britain and Spain, in behalf of their respective Courts, by which, in addition to the restoration of the property whereof the British subjects had been dispossessed at Nootka, and an adequate compensation for their losses, which had before been stipulated, the important concession of our equal right of navigation and fishery in the Pacific ocean or South seas, and of landing on the coasts unoccupied by the

Spaniards, for the purpose of commerce with the natives, or of making settlements on such unoccupied places, was obtained for the subjects of this country. Amicable provisions were also made for a friendly intercourse of trade between the two nations on the north-western coast of America, and the adjacent islands; and for the prevention of any hostile or violent measures between their respective subjects in those distant regions.

The issue of this business was flattering to Great Britain. The resources and force of the empire were proved and exerted; and that power and dignity which the misfortunes of the last war had been supposed so much to abate, were now restored to this country, and employed with a moderation, and at the same time with a firmness and an effect, which tended alike to exalt the national character, and to secure the public tranquillity.

SECTION

SECTION VI.

Repeal of the Test and Corporation Acts.

TWO public measures of considerable importance, which have not yet been adverted to, were brought forward in this Parliament, and both of them were supported by a respectable part of the representative body, and of the people at large—I mean a motion for a *Repeal* of the *Test* and *Corporation Acts*, and an enquiry on which to found a bill for the *Abolition of the Slave Trade*.

Of these, although the first was rejected by the last Parliament, and the second has since been rejected in the present, it seems proper, in this historical review, to take some notice, because they agitated at the time, and still continue to agitate, the opinions and the feelings of the Public.

A petition of the Dissenters, praying for a repeal of the acts above mentioned, was first presented to the House of Com-

mons on the 28th of March, 1787, by Mr. Beaufoy, and supported by Mr. Fox, and several other very respectable Members of the House.

In support of the petition it was argued, “ that every man has a right to judge for himself in religious matters ; nor ought his exercise of that right to be branded with a mark of infamy, such as the exclusion from offices and trusts, which is part of the punishment inflicted by the law on several infamous crimes. That it was disgraceful to a country so enlightened as England to retain, in the present mild and liberal times, so much intolerance and persecution. That *opinion* merely, ought not to be at all subject to public cognizance, which should only be applied to men’s actions. That, in fact, there is no test of *civil* opinion ; for a man may hold opinions averse to every principle of the Constitution, and yet attain the highest situations in the State.”

“ The indecency and impiety of applying a sacred rite of religion, the Sacrament of our Lord’s Supper, to secular and political purposes, was warmly urged. That this
kind

kind of test is as inefficacious as indecent, because persons compelled by necessity, or allured by interest, may take the Sacrament after the manner of the Church of England, without supposing themselves by that compliance to declare their approbation of the form or constitution of the Church; and Papists, against whom only, and not the Protestant Dissenters, the test act was originally intended to operate, may, exclusive of the general dispensation of their Church, take this test without conceiving it to bind their consciences, as many of them hold the Protestant Church to be no Church, its Ministers no Ministers, and its Sacrament no Sacrament."

"The Church of England, it was said, is secured in her doctrines, her discipline, and her privilege, without the test act, and its repeal would render more easy, as well as more pure, the exercise of one of the most sacred functions of her Ministers, who, as the law now stands, cannot, without being subject to an action for damages, refuse the Sacrament to any person who wishes to qualify himself for an office, and yet, by the solemn injunctions of the Church,

Church, are charged not to administer it to blasphemers, adulterers, and others, in a state unworthy of receiving it."

"The Dissenters, said the friends of the motion, ask nothing derogatory to the established religion of the country, or in the smallest degree trenching on her prerogatives; it is only a civil equality they sue for; a relief from those unjust and grievous disabilities which the present laws impose on them; incapacity of any civil or military appointment, of trust or office in any community or corporation, even though they should have established it by their industry, or endowed it by their benevolence; and, in case of holding any office without having submitted to this test, a proscription so cruel as the being legally incapable of maintaining any action at law, or suit in equity, of being a guardian, an executor, or even receiving a legacy."

"In foreign countries, amidst all their religious bigotry, there is no exclusion by a religious test from civil or military appointments; the Episcopalians in Scotland, who are Dissenters from the Church established there, are subject to no such test; in
Ireland

Ireland the Dissenters obtained, in 1779, the repeal now solicited here; in none of those countries are any ill effects found to result from the want of this pretended guard to the religious establishment."

"The Dissenters, though incapacitated for the meanest office, are yet eligible to Parliament; so inconsistent, as well as unjust, are the exclusions against them. The advocates for such exclusion are reduced to the absurdity of confiding their religious interests to dissenting legislators, who, if they had the inclination, might possess the power of altering the Church Establishment, and yet of maintaining, that it is dangerous to trust Dissenters with offices and appointments, which confer, in that respect, no power or influence whatsoever."

"The impolicy of those statutes, it was insisted, was equal to their injustice; they separate and alienate from the general interests of the State a large and respectable body of the citizens. Take away, it was said, this odious line of separation, and the Dissenters will be mingled with their fellow subjects, and all distinction of a religious

gious party will be for ever abolished and forgotten."

The prayer of this petition, and the motion in consequence of it, were opposed, among others, by the Chancellor of the Exchequer, and by Lord North, who, though he had a little while before had the misfortune to lose his eyesight, came down now, for the first time, to the House, to oppose a measure which he conceived so alarming to the safety and welfare of the country.

"The question, it was argued by the opposers of the repeal, when stripped of those colours in which eloquence and abstract arguments of natural equity might dress it, was simply this : — Ought we to relinquish, at once, those provisions which had been adopted, by the wisdom of our ancestors, as a bulwark to the national church, of which the constitution and the safety were so intimately connected and interwoven with those of the State ?"

"The reasonableness of toleration was not disputed ; " but it is not toleration, it was said, that is asked by the Dissenters, but equality ; the free exercise of their own
mode

mode of worship is not denied them ; but it is to those only who follow the worship of the established Church, that the Constitution has thought proper to entrust the enjoyment of offices and appointments, with the Administration of which the safety both of Church and State is connected."

" Restrictions applying to offices, which are objects of favour and of trust, must never be considered as an infringement on Liberty. There are many instances of certain rights being confined to certain orders and qualifications of men ; but the title of the State to make such restrictions has never been called in question."

" If actions only, and not opinions or tenets, were to be matter of public cognizance or provision, there would be an end of all that preventive wisdom which guards the avenues of danger to the community. In fact and experience, the test laws have been the bulwark by which the Constitution has been saved. But for them, the family of Stuart might now have held the Throne on its own despotic terms, and no Constitution had been left us to value or to defend."

“ If an establishment of religion be at all necessary, (which will hardly be denied) this advantage and protection are necessary to its support. Without any reflection on the Dissenters, who are a very respectable body of men, and whose merits in several periods of public danger will readily be allowed, it may fairly be supposed, according to the principles they profess, that any accession of power would be used by them against the established Church; as honest and conscientious men, holding that Church in a certain degree sinful and idolatrous, it is their duty to employ every legal means in their power for its degradation.”

“ The penalties and disabilities which have been inveighed against as so harsh and tyrannical, do not apply to the religious tenets or writings of the Dissenters. Against them there is no penalty whatsoever; only a preventive restraint of the law, that men holding such doctrines, shall not be entitled to offices and appointments, in which they might have the power of hurting the religious establishment of the country. The penalties so
much

much complained of, are only incurred by a breach of that law; they are not provisions of the statutes in question, but sanctions to secure their observance."

"In the foreign countries, cited as examples, it was said, the arbitrary nature of the government supersedes the necessity of such provisions as those contained in the laws wished to be repealed. The test act of England was founded on a jealousy of the Monarch, natural in a free country, limiting his power of nomination to offices, by a restriction for the security of the Church and the Constitution. In Scotland the Dissenters are chiefly Episcopalians, against whom the Presbyterian establishment is guarded by a solemn pledge at the Union. In Ireland, the non-conformity only to be dreaded is Popery, which there are other legal provisions to restrain."

A distinction was stated between the danger arising from the eligibility of Dissenters to Parliament, and that which would arise from allowing them to hold offices or places in corporations. If Dissenters were admitted into Corporations,

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they might, in some instances, obtain an exclusive possession of them, and might return persons of principles wholly unfavourable to the Church; whereas a Dissenter at present has no chance of sitting in Parliament, unless his principles are so moderate as to induce Members of the Church of England to elect him their representative. It was admitted, that the principles before stated would have justified withholding even this privilege, but the circumstance of having granted it, when it was of little importance, could furnish no argument for other concessions of a more dangerous tendency.

It had been said by the friends of the motion, that if the repeal was granted, the Dissenters would then rest satisfied, would trouble the Legislature for no farther indulgence, and indeed would lose altogether the distinction of a religious party. But this, it was contended, was contrary to experience and to human nature. Men are generally emboldened by success, and rise in future demands from having obtained the first. Some of the Dissenters, it was affirmed, did not scruple to declare their
aversion

aversion and enmity to the established Church, and certain publications were quoted to shew the designs which some of the leaders of that party harboured against it. The repeal of the test act would let in the most obnoxious and most violent, as well as the most moderate and inoffensive; or rather the first would be most likely to push forward into offices, and trusts, from a zeal of which it was prudent to watch the progress, and to guard against the effects.

This application to Parliament on the part of the Dissenters, after being rejected on the present occasion by a majority of 178 to 100, was afterwards twice renewed, with a perseverance, which, by its friends, was argued as a proof of the justice of the claim; by its opponents as the effect of an obstinate combination which might be the ground of alarm. In May, 1789, it was brought forward again by Mr. Beaufoy, when his motion was negatived by a division of 222 to 102; and in March, 1790, by Mr. Fox, when, notwithstanding the utmost exertion of his eminent abilities, the majority against it was considerably increased, the numbers being 294 to 105.

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These increased majorities were probably more owing to the circumstances of the times when the question was renewed, than to any novelty or superior force in the arguments by which the measure was resisted. A spirit of innovation and revolution had begun to arise, of which prudent and moderate men were afraid, and which in a country, and at a period that could boast so much actual prosperity and happiness, they saw no reason to encourage. The flourishing situation of that body of men, on whose behalf this question was now stirred, did not seem to imply the existence of any material grievance, any oppressive restriction attached to their peculiar form of worship. The present measure, it was said, bore rather the appearance of a step towards incroachment on the rights of the established Church, than of a mere defence of that of their own. Such, at least, it was asserted, might fairly be supposed to be the intentions of certain factious and designing men, of considerable influence among the Dissenters, who had, in sermons and discourses, avowed their hopes of a speedy abasement of the hierarchy

rarchy of the Church of England ; and, in the same publications, had breathed a congenial spirit of disaffection to the wisely-established monarchical part of our civil government. Such, it was allowed, might not be the sentiments of the great body of the Dissenters : they were too much interested in the national welfare to risk its peace by such attempts ; but to men whose turbulence and ambition overcame at once the mildness of religion, the principles of patriotism, and the considerations of prudence, it was necessary to oppose any just and legal barrier which could guard the tranquillity of the empire, or the safety of the constitution.

SECTION VII.

Abolition of the Slave Trade.

THE idea of abolishing the *Slave Trade* had first arisen, several years prior to its being

being brought forward in Parliament, among the Quakers, a set of men whose principles of peace and meekness often ill according with the corruptions of society or the political interests of nations, were very naturally averse to a traffic which had its chief origin in war and rapine, and was supported by a great degree of violence and cruelty.

In Britain the suggestions of benevolence are always listened to with partiality. The address of the Quakers on the subject of the slave trade was favourably received in this country by many whose feelings were interested by the humanity of its motives, without having had leisure to consider its policy. A society was formed in England for the abolition of the slave trade, and considerable subscriptions raised for the purpose of an application to Parliament in that behalf, and of carrying on inquiries tending to establish the justice and the expediency of the measure.

In this spirit of active humanity petitions were presented to the House of Commons from several public bodies, praying an abolition of this trade. A very full
and

and elaborate inquiry was made by the Privy Council into the subject, and a number of persons examined concerning the nature of this branch of commerce, from its first stage on the coast of Africa to the sale of the negroes in the West Indies. This inquiry also comprehended the treatment and condition of the slaves in the plantations, and the consequences to be expected from the abolition or regulation of the traffic in question.

The matter of the before-mentioned petitions was first stirred in the House of Commons in the session 1788; but the general question of abolition being then postponed till the whole of this great question should be investigated to the bottom, a bill was in the mean time passed for regulating the transportation of slaves from Africa to the West Indies, in which various provisions were made for their health and accommodation, and bounties were humanely granted to the captains and surgeons of slave ships, of which the cargoes should be transported with the least possible loss upon the voyage.

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On the 12th of May, 1789, Mr. *Wilberforce* moved a string of resolutions declaratory of the existing abuses of the slave trade, and laid a ground for a law to abolish it. On this side of the argument, embracing almost every topic that can give warmth to sentiment or force to language, lay the field for eloquence: in the mover of these resolutions, a man of the most amiable and respectable character, that eloquence was known to be founded on principle, and kindled by humanity. He was supported by most of the leading members of the House; among whom were the Chancellor of the Exchequer and Mr. Fox.

Those resolutions, enforced with a zeal equal to the abilities of such men as I have mentioned, lay on the table of the House of Commons as a text for the future discussion of the subject. But a great variety of additional evidence, on both sides of the question, was afterwards taken by a Select Committee, which occupied the remaining period of the Parliament; and it was not till the first session of the next that the House came to any decision.

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“ The slave trade,” said Mr. Wilberforce and the other supporters of his motion, “ might, *à priori*, from its very nature, be pronounced a trade of inhumanity, oppression, and guilt. But we are not left to supposition — a body of evidence is laid before the House, which shews it to be in kind what indeed we must have supposed it, but in degree beyond what the imagination of a good man could have led him even to conceive.”

“ In its first stage, what a scene of horror and devastation does it produce ! The wars of the Africans are not prompted by those motives, savage as they are, which have so often dazzled the fancy of cruel and unthinking men. Theirs is not the pride of conquest, or the plume of glory—it is the mere vulgar rapacity of a thief, or the avarice of a cheat, that rouses the kings of Africa to arms. We teach them wants, and the method of purchasing what those wants require by the blood, or, in the properer phrase of the shambles, by the flesh of their own subjects, or the subjects of their neighbours. The separation of parents and children, of husbands and

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wives.

wives, the tearing asunder every bond of affection or of tenderness, are the first evils to which the survivors of those wars are doomed."

" But this," continued the favourers of the motion, " is only the opening scene of the tragedy. The transit of the negroes from Africa to the West Indies, so much misery condensed into so little room, it is hardly possible for those to conceive who never gasped in the tainted air of a slave ship, under the heat of a vertical sun." The detail of that situation was said to be too horrible and nauseous for repetition : they presented, therefore, a silent picture of it to the eye, which had a powerful effect upon the Public—the *section of a slave ship*, shewing the manner of stowing the wretched negroes on board, where, in the close package of airless holes, they often endured every degree of pain, disease, and filth, that is terrible or loathsome to nature. The mortality, in consequence, was affirmed to be enormous—about 50 per cent., which is ten times the amount of deaths in ordinary situations.

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“ Did there,” it was said, “ exist a necessity (as our interested luxury uses the word necessity) for this cruel traffic for the cultivation of our West-India islands, even that necessity would not justify the continuation of a trade so repugnant to justice ; but no such necessity exists, and the abolition of the slave trade is as reconcileable to our true political interests as it is consonant to the eternal principles of right, of conscience and humanity.”

“ The interest of the planters,” it was argued, “ was hurt by the excessive loss of the imported slaves into the West Indies, and the very great expence in renewing them. This is owing to a variety of causes, which would not occur if the culture of the islands were carried on by any other mode. The inequality of the sexes, the disorders contracted in the middle passage, the profligacy of their manners, the natural consequence of that neglect in point of instruction to which a slave must always be subject, who is considered as a beast of labour rather than a moral agent ; the ill treatment they receive, particularly the females in a state of pregnancy, or of nursing

nursing their infants, from their masters; or still more from their managers or overseers; the scanty allowance of provisions to which they were often stinted. All these evils," it was said, "would be prevented, or lessened, by the salutary necessity, which the abolition of the African market would impose, of a proper degree of care, attention, and mild treatment of the negroes. Besides the probable introduction of cattle and machinery, instead of slaves, in the culture of the plantations, the stock of negroes, if negroes must be used, may be profitably kept up without importation: it is so in America, where, from good treatment and a certain degree of domestication, their increase has been great and rapid; and even in the West Indies, notwithstanding all the causes which still subsist for their decrease, most of which the abolition would remove, that decrease has gradually, from the late improvements in their treatment, diminished; and in some of the last years the native slaves in several of the islands have actually increased, the decrease being only on the imported slaves."

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“ If we feel not for the unhappy Africans,” it was said, “ yet we may be touched with the distresses of our own seamen. To them this traffic is nearly as mortal as to the negroes : and besides the loss by death, seamen often fall a sacrifice to the vengeance and retaliation of the Africans on the coast, or to the villany and covetousness of the masters of the slave ships after the disposal of their cargoes in the West Indies, who being obliged, for their safety on the passage thither, to have a greater number of hands than is necessary for their homeward voyage, take every opportunity of leaving part of their crew in the islands, or oblige them by ill usage to desert from their ships, when they often perish miserably from disease and want. Such are its effects on our marine, one of the grounds on which those who argued for the trade thought themselves strong. It has been defended as a nursery of seamen — it is, in fact, their dishonourable grave.”

“ If feeling its consequences in point of justice and humanity we are to condescend to compute its advantages in a commercial

mercial view, those boasted advantages will be found to have been greatly over-rated. In Liverpool, considered as the very center of this commerce, it forms but a thirtieth part of the export trade, and is but a sort of lottery, profitable indeed to individuals, but rather a losing trade on the whole. But if this inhuman traffic in men were abolished, Africa has many other articles for which a much more lucrative trade might be carried on: even in its present situation that country affords these; but their increase would be infinite, if, instead of the idleness, the vice, the murders, we teach them by the slave trade, we taught them, by the communication and reciprocal advantages of an honest traffic, the habits of industry, and the arts of agriculture and of manufactures."

The opposers of the abolition say under many disadvantages which the natural, it may be said the laudable, prejudices of mankind, the completion of their arguments, and the appearance of partiality which their interest in the question threw upon those arguments, necessarily created. They endeavoured to appeal to the sober
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understanding, to the cool deliberate prudence of the House, and cautioned it against the dangerous consequences which the Legislature's yielding to this momentary ebullition of romantic humanity might produce.

“ Justice, they argued, is antecedent to compassion, and the rights of property are as sacred as those of humanity. The property vested in the West-India islands, was so vested under the sanction of numberless acts of the British Legislature, deliberately, and some of them recently passed, several of which expressly authorise and encourage the slave trade. Seventy millions of property is computed to be vested in the West-India islands. Is Parliament prepared to strike off at once, or highly to endanger, this great mass of the national capital? to forego the industry it sets in motion, the revenue it produces, the seamen it employs?

“ The motive must be strong indeed that can authorise such a breach of public faith to the planters, such a violation of the duty of Parliament to their country and their constituents. That motive is

humanity ; but the fanaticism of humanity, like the fanaticism of religion, is deaf to reason and to truth, and often destructive of the very virtue to which it pretends. Does our humanity never think of the consequence of the wished-for abolition to the thousands of our own countrymen, whom it will reduce to distress and poverty ? What crime have they committed, that their possessions should be laid waste, and their property confiscated ? These persons, our national humanity, now awakened by a society of enthusiasts, after it had slept for 200 years amidst all the virtue and wisdom of our ancestors, these it overlooks, to indulge in the ideal prospect of distant objects on the continent of Africa.

“ But even to the natives of Africa our mistaken compassion will not be humanity. We can only abolish this trade for ourselves, for no other nation will be so unwise as to abolish it. In France, wilder than the wildest of us in abstract notions, fond as she is of revolution, and in the very honey-moon of liberty, the proposal of abolishing the slave trade was decidedly
rejected

rejected by the National Assembly. Other nations therefore will, as in every other case, command the market which we have relinquished. They will purchase only what slaves they chuse, and the remainder will be butchered by their owners, who, is well known, take this method of disburthening themselves of the slaves they cannot sell. It is not in Africa as in civilized countries, where the demand regulates the supply. The whole system of that great continent must be changed, before we can apply to it our ideas of political institution or commercial arrangement. 'Tis a system of despotism and slavery throughout, where a few tyrants command the lives, and have a property in the persons, of the millions who inhabit it. The neighbouring nations go to war from a thousand different causes, as has always been the case in a barbarous country. The captives are either killed or sold into slavery. The encouragement which the trade in slaves gives to some of these wars, will still remain from the traffic carried on by other European nations on the coast. The price indeed will fall, from our declining

the purchase; we shall not only lose the trade ourselves, but throw it, with a double advantage, into the hands of rival powers.

“ Many of the cruelties charged on the slave trade have, in truth, no relation to it, but arise from the depravity of individuals, which will every where be found to produce oppression and cruelty, if an inquisition like the present will but search and hunt for it. If our Legislative humanity is to search after private abuses, there is scarce a trade or manufacture in this country where such abuses will not be found to exist. In several of our manufactures the mortality of the children brought by their parents (the word *sold* might be used, for the parents bring them for the gain they are to make by their labour) is treble the amount of that on a West-India plantation, or even of a well-appointed and well-managed slave-ship.

“ The mortality indeed, both of the seamen and of the negroes, in the middle passage has been greatly exaggerated. On board those in which a common degree of attention is paid to the health of the slaves,
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(to which their value, independant of all feeling in the masters of the vessels, naturally incites) that mortality was by no means great, even before the regulation act of 1787. The provisions of that act will lessen it still farther. *Regulation* the West-India proprietors will gladly consent to and adopt. Shew them any regulation that will tend to the health and comfort of their negroes, and their interest, if you will not allow them any better motive, will keep pace with your humanity."

" But you will not allow them to know heir own interest, or the best method of carrying on the business of their plantations. You adopt that system of legislative interference and restriction on trade, which it is the greatest boast of modern philosophy to have exploded. You say that if the slave trade were abolished, they could keep up their stock more profitably by attending to the breeding up of their native slaves, than they now do by importation from Africa. They know perfectly well the inconvenience and expence of the importation, and the superior value of Creoles, But with all the attention which
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this experience can excite, they are not yet in a condition to keep up a sufficient stock for their plantations, without new purchases of negroes. The experiment has been tried in some of the Dutch plantations, which, by an impolitic prohibition of foreign slave ships, were almost ruined. Most of our West-India estates are understocked even in their present situation; but are they to be prohibited from any extension of their plantations, any means of improvement of those waste lands, amounting in Jamaica alone to about a million of acres, now patented from Government, for which large quit-rents are already paid, and large sums invested? The calculations of the advocates for abolition, even allowing their data, which however are grossly erroneous, are made on the present extent of the plantations, and on the state of the stock in ordinary years; they make no provision for those disastrous seasons in which hurricanes or epidemic diseases desolate the islands. They add to these natural evils the prospect of remediless bankruptcy and ruin to the proprietors; for a West-India estate is but a sort of manufacture,

facture, and a prohibition to recruit the number of the hands employed in it, is a virtual confiscation of the property."

" Equally fallacious are those methods of culture which the theory of those who argue for the abolition have pointed out to the planters. Repeated attempts have been made of cultivating the plantations by whites, and even great encouragements held out by the colonial assemblies for that purpose; but even with those encouragements the attempt was found impracticable. The same thing has happened with the experiments anxiously made of culture by cattle and machinery; but those things which their experience has long ago found impossible, the confident theorists of this new system hold out as easy and even profitable."

The ill treatment of the slaves in the West Indies was confidently affirmed to be neither general nor common; and appeals were made on that subject, to the testimony of some of the most respectable characters in the army and navy of Great Britain, some of whom had resided long in the islands, and had the best opportunity
of

of witnessing the treatment of the negroes. The fact was said to be, that they were not only mildly and humanely treated, but that they enjoyed a greater degree of ease and comfort than the common labourers in many parts of Britain. Instances of barbarity might no doubt be found; but such were known daily to happen in England, where apprentices have died under the cruelty of their masters; but the law did not therefore propose to abolish apprenticeship. Some of the opponents of the trade allowed a great improvement in the treatment of negroes in later times, and founded on the increase occasioned by it, an argument against the necessity of importation. — “Suffer them then, it was said, to benefit by this gradual and progressive improvement, and do not, with rash and unadvised hand, cut off the chance of future prosperity in the planters, and of the consequent melioration in the state of their negroes, whose situation must always be proportionate to the flourishing or distressed situation of their masters.”

To some of these arguments in defence of the present system it was replied, “that
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granting Africa to be in a state of as much barbarity as was represented, that barbarity was maintained and increased by the trade in question. That if the other branches of commerce, of which that country is susceptible, were encouraged, which would be the natural effect of the abolition of the slave trade, industry and civilization would take place of those savage manners which were now made an excuse for our own guilt and inhumanity, to which their continuance was chiefly to be ascribed."

The conclusion drawn from the interest of the slave merchant and the planter prompting their good treatment of the slaves, was repelled as contrary to all experience and knowledge of human nature. "Interest, it was said, has never been able to control the violence of passion, or the extravagance of caprice, when there was an unlimited power of indulging them. The familiar instance of the treatment of our beasts of burthen, to which the condition of the negroes is too nearly similar, was cited as an example in point. Under this argument of the prevalence of interest over inclination, half the crimes and

follies of civilized life, it was urged, might be demonstrated to be impossible."

"That the situation of the slaves was happy and comfortable, was said to be an assertion repugnant to every one's feelings. But there was a horrid proof of the contrary in the many instances of suicide among the negroes. The insurrections too, which they sometimes ventured, desperate and hopeless as they were, shewed strongly their sense of the sufferings they endured. This was one of those evils which the system of slavery necessarily inflicted on the masters of slaves, the suspicion, the fear, the danger, with which they were surrounded."

"The argument against the interference of the Legislature in the management or conduct of the planters, might, it was observed, be carried the length of precluding all improvement whatsoever. Here again, the argument of attention to their proper interests is set up, to prove the impracticability of any change in their mode of culture. But the indolence of habit overcomes in the bulk of men the motive of interest, if that interest is not a very direct and immediate

mediate one. The same objection of the impossibility of any other than the established mode of cultivation might have been made, some centuries ago, to any man who should have ventured to propose the emancipation of the *Serfs* as a practicable measure. Yet it will not be denied, that the improvement of modern Europe is chiefly owing to that circumstance."

Notwithstanding the eloquence with which these arguments were enforced, and the weight and authority of those Members by whom they were urged, the abolition of the slave trade, which had been only brought the length of inquiry in this Parliament, was negatived, at a pretty early period of the succeeding one, by a majority of 163 to 83.

SECTION VIII.

The Regency.

OF one event, fortunately as transient as it was unexpected, by which the deliberations of this Parliament on any other subject were for a time suspended, I have not hitherto made mention. I should, indeed, have been unwilling to take notice of it at all, had it not produced discussions, as well as resolutions of the representative body, of the first importance to the Constitution. I mean the illness of the King, and the proceedings on the supposed impending *Regency*, in the end of the year 1788, and the beginning of 1789.

Parliament had been prorogued, in the customary manner, to the 20th of November 1788, but without its being intended to meet at that time for the dispatch of business. The tranquillity, even the prosperity of the State, were such as not to require its meeting till a later period. But that tranquillity

quillity was interrupted by the unlooked-for event of His Majesty's being seized with an indisposition of the most serious and afflicting kind, by which he was totally incapacitated from meeting Parliament, from any mental exertion, or from transacting any sort of business.

This was announced to the House of Commons, on the above-mentioned day of their meeting, by the Chancellor of the Exchequer, who at the same time moved an adjournment to that day fortnight. The House assented, with a silence impressed by the striking and melancholy event which had been communicated to them. The same impression was stamped on the mind of the people, who looked up to their representatives with that earnest and solemn expectation which distress excites, for a calm, deliberate, impartial determination, respecting the measures which it became them to take on this interesting and awful occasion.

The House was afterwards farther adjourned to the 8th of December, on which day a Committee was appointed to examine the physicians who had attended His Majesty

jecty during his illness. On the 10th of
 December that Committee made its report.
 From that report it appeared, that His Ma-
 jesty was utterly incapable of exercising his
 functions ; and though it contained strong
 hopes of his recovery, yet such expected
 recovery was too uncertain, and might be
 too distant to admit of a delay in taking
 those steps which the exigency of the time
 required. Another Committee was there-
 fore appointed “ to search for and report
 “ precedents of such proceedings as may
 “ have been had in case of the personal
 “ exercise of the royal authority being
 “ prevented or interrupted by infancy,
 “ sickness, infirmity, or otherwise, with a
 “ view to provide for the same.”

It was on this occasion that Mr. Fox
 brought forth that memorable claim which
 provoked so much discussion both in Par-
 liament and among the people, that “ the
 “ *Heir Apparent* of the Crown, being of
 “ full age and capacity to exercise the royal
 “ power, has as clear and express a right
 “ to assume the reins of Government, du-
 “ ring the continuance of the illness and
 “ incapacity with which it has pleased God
 “ to

“ to afflict His Majesty, as in the case of
 “ His Majesty having undergone a natural
 “ and perfect demise.”

This claim seemed, from the aspect of the House, to be favoured by a considerable party in it. By a majority, however, it was received with equal surprize and disapprobation. The Chancellor of the Exchequer, with a warmth natural in the cause of freedom in a free country, declared, “ that to assert such a right in the
 “ Prince of Wales, or any one else, independent of the decision of the two
 “ Houses of Parliament, was little less
 “ than *treason* to the Constitution. The
 “ assertion of such a right, he said, shewed,
 “ in the strongest manner, the necessity of
 “ the enquiry for which he had moved.
 “ It behoved them to meet this claim on
 “ the surest grounds; to learn and to ascertain their own rights; to protect the
 “ rights and interests of their constituents,
 “ and the interest and honour of a Sovereign deservedly the idol of his people.”
 He cautioned the House against “ rashly
 “ annihilating and annulling the authority
 “ of Parliament, in which the existence of
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“ the Constitution was so intimately involved.”

Mr. Fox, on a subsequent day, abated somewhat of the strength of the claim which he had made, by explaining his meaning, *universally* misunderstood before, to have been, not that this right was such as the Prince could assume of himself, but such only as attached to him on the King's incapacity being declared by Parliament. Afterwards the party, who had rather unadvisedly brought forth this claim, wished to avoid its discussion altogether ; and though one gentleman, affecting to be much in the Prince's confidence, rashly ventured to throw out a sort of threat against provoking its assertion, the more politic Members on the Opposition side of the House argued the inexpediency of interrupting or protracting their proceedings by agitating a question of this abstract kind. But it was a question which, having once been stirred, was of a magnitude not to be overlooked. It produced a long and solemn debate, which ended in the adoption, by a considerable majority, of three resolutions moved by the Chancellor of the Exchequer, of
which

which the second went directly to the determination of this point, so essential to the constitution of the country. These resolutions were :

1st. " That His Majesty is prevented by his present indisposition from coming to his Parliament, and from attending to public business ; and that the personal exercise of the royal authority is thereby for the present interrupted."

2d. " That it is the right and duty of the Lords spiritual and temporal, and Commons of Great Britain, now assembled, and lawfully, fully, and freely, representing all the estates of the people of this realm, to provide the means of supplying the defect of the personal exercise of the royal authority arising from His Majesty's said indisposition, in such manner as the exigency of the case may appear to require."

3d. " That for this purpose, and for maintaining entire the constitutional authority of the King, it is necessary that the said Lords spiritual and temporal, and Commons of Great Britain, should determine on the means, whereby the royal assent

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may be given in Parliament, to such bill as may be passed by the two Houses of Parliament, respecting the exercise of the powers and authorities of the Crown, in the name and on the behalf of the King, during the continuance of His Majesty's present indisposition."

With these resolutions the voice of the nation seemed decidedly to concur. It was not, indeed, without a great degree of surprise that the people had heard men, whom they had been accustomed to regard as the supporters of those maxims of a free government, known by the name of *Whig* principles, pronounce an assertion so nearly allied to that doctrine of *hereditary and indefeasible right*, which the present age can scarcely believe to have been one of the follies of the last. The claim in question was, indeed, so weakly defended at the time, and has since been so entirely abandoned, that it may, perhaps, be thought needless to have mentioned it so much at large; but it is necessary to record public doctrines, however extravagant or ill founded, because, by an equal violence or blindness of party, they

they may, on some future occasion, be urged.

The *right* of Parliament being thus solemnly recognized, the mode, as well as the extent of its exercise of that right, was the subject of much future discussion and debate. As to the first, it was, indeed, difficult to apply to the mould of established forms a proceeding of a new and unprecedented kind. The mode proposed by the third resolution, of a bill to be passed by the two Houses of Parliament, receiving the royal assent in virtue of a commission issued under the authority of an act of the Parliament itself, involved a legal fiction which, though it might be justified by the necessity of the case, afforded much opportunity for the argument and the ridicule of Opposition. But it was a mode suggested by a just and scrupulous adherence to the analogies, and to the forms, of the Constitution, and a respect which, perhaps, the circumstances of the moment might strengthen for the regal office. It was important in providing for this exigency, that the power inherent in Parliament, as the

organ of the people to supply in this emergency the deficiency of the executive government, should not go beyond the necessity on which it was founded; and that the mode of exercising it should recognise, on the very fact of it, the regal authority as an essential part of the Constitution.

The discretionary Exercise of this power involved several particulars, which were afterwards comprised in the *Regency Bill*, brought in by the Minister on the 5th of February, 1789. By that bill the Prince of Wales was empowered "to exercise the royal authority during His Majesty's illness;" with a provision, however, that the care of His Majesty's person, and the management of his household, including the direction and appointment of all the officers and servants of that household, should be vested in *Her Majesty*. The powers of the Regent were subjected to certain restrictions. They were not to extend to the granting of Peerages, except to any of His Majesty's issue when arrived at the age of 21; nor to granting any office in reversion; nor to granting for any other term
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than during pleasure, any pension, or any office, except such as the law directs to be granted during life or good behaviour; nor to granting any of the real or personal property of the King, except the renewal of leases held under the Crown.

These restrictions were strenuously opposed in both Houses of Parliament. They were represented as laying a foundation for a weak, a defective, and a divided Government. The rights of the Crown, it was contended, were given it for the benefit of the People to enable it to carry on the functions of the executive power with that energy and effect which are necessary to the welfare of the State. The crippled and mutilated authority which this bill left with the Regent, would be inadequate to those salutary purposes. Its restrictions, it was argued, separated from the regal office, the royal functions, and prerogatives which the Constitution had determined to be necessary to support the legitimate power of the Sovereign, which, without them, therefore, must be sunk below that place which the Constitution had wisely assigned it.

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It was maintained on the opposite side, that the Restrictions in question were indispensable in the present case. Parliament was not now making a King ! it was only providing for a temporary suspension of the kingly functions ; and it was bound to consider the personal rights of the existing Monarch, and to provide for his resumption of his political rights, whenever it should please God to restore his capacity of exercising them. The powers of the Regent ought to be limited by the same unfortunate necessity by which they were created, and Parliament was called upon by every principle of duty to their country, by every feeling of loyalty to their King, to take care that His Majesty should find, on his recovery, his rights entire, uninfringed, and unabated, by any act of his People, or their representatives, during an indisposition, of which they hoped and must provide for the cessation.

In the House of Lords the proceedings were similar to those in the House of Commons, and the arguments in debate were founded on the same principles.

During

During the debates which the various provisions and restrictions of the Regency Bill occasioned, which lasted till the middle of February, the Public watched with a degree of interest and anxiety proportioned to the importance and nature of the subject, the opinions of individuals, and the movements of party. They had sometimes to regret the violence of the one, and the intemperance of the other, so ill according with that solemn and awful impression which the consideration of their sovereign's afflictive state, and of the probable situation of public affairs, was calculated to produce. They heard expressions applied to the first, by men whose talents and whose characters they wished to respect, equally devoid of dignity, of delicacy, and of feeling. They saw that party whom it was supposed the establishment of the Regency would introduce into Administration, forget, in the inordinate desire, in the voracity of power, the interests of their country, and the rights of their King. They looked with the regrets of affection, on the conduct of the illustrious and amiable personage, who
was

was understood to be the support of that party. It was the first time they had heard the name of a Prince of the House of Brunswick jar with those principles of freedom and the Constitution by which (the proudest of all titles) his Family had ascended the Throne. They lamented his being, as they conceived, misled by designing men, who, bending his interests in subservience to their to own, endangered their separation from those of the country ; and they looked with a gloomy presage to the elevation of such men into power, which they had anticipated with so little regard to the welfare or the feelings of the People. The measures of that party they contrasted with those of their opponents, with a partiality to the latter, which perhaps their master's situation tended to excite. Covered with the shade of his affliction, his Ministers challenged the respect and favour of his People ; who, with an equal zeal of Patriotism, and a sympathetic affection of loyalty, saw them prepare, with a calm and conscious dignity, for a dismissal from place and power, regardless of themselves, and
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only tenacious of the rights of their fellow-citizens, and of their Sovereign.

But the virtue which the people supposed in the one, or the ambition which they imputed to the other, were equally stopped in their exertion, by the happy event of His Majesty's recovery, which took place about the middle, and was communicated to Parliament before the end of February. The joy of the nation was as unbounded as it was sincere, and the King had the peculiar felicity to find himself restored to health, of which the enjoyment was rendered doubly a blessing by the most signal proofs of the fidelity and affection of his subjects. It was a situation new, as it was interesting, in the fate of a King, who can seldom have the good fortune to experience, after such a vicissitude, the pure affections of his People, unbribed by the hopes of favour, or undazzled by the glare of victory. To hear that voice (as the *Apotheosis* of the poets have feigned of Kings after their death) which had certainly arisen undeceived by the fears of the weak, the expectations of the selfish, or the

flattery of the mean. The People, by a combination not less unusual, while they enjoyed the restoration of their Monarch, felt the energy of the Constitution, and triumphed in the virtue of the Parliament. They rested with peculiar satisfaction on the late recognition of this great constitutional principle, that in Parliament alone, as their Representative, resides the power of regulating every emergency not already provided for by the express law, or by the known established custom of the realm.

CONCLUSION.

I Have thus, with a slight, but I hope not unfaithful pencil, sketched the principal features of the Parliament 1784. Its proceedings were so momentous, whether we regard their importance at the time, or look to their consequences in future, that I think
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I shall be readily excused for recalling them to the remembrance of the public. Any comments with which I have ventured to accompany their recital, I leave to the judgement of my fellow citizens ; with the more confidence, because I have only endeavoured to express what I believe to have been the sentiments of the unbiassed and respectable part of the community. But the impartiality of the people is not indifference ; they feel, and I participate in their feelings, a proper gratitude to those whose measures they believe to have conducted to the prosperity and honour of the State ; and they feel a proportionable disapprobation, when such measures are embarrassed and impeded, if they conceive the opposition to them to have arisen from envy, self-interest, or ambition. A preference founded on these considerations is not an attachment to party — it is the attachment of a good citizen to his country — of a good man to virtue.

Though it may not be a popular doctrine, yet I believe it is one which moderate and thinking men will admit, that in Great

Britain, the nature of its Government, the continual superintendence of Parliament, the weight of public opinion, and the influence which all these circumstances must have on the character and conduct of persons in official situations, afford a much greater probability than in other countries that the Administration will ordinarily be at least right in its intentions, and will adopt its measures from a belief that they are such as will tend to the benefit of the nation. The men who attain the high departments of the State in Britain, are commonly such as, from their education, their habits of life, and their situation with regard to the community, have much stronger motives to purity and uprightness in their public conduct, than to the contrary. The aristocracy of Great Britain is essentially different from the aristocracy in other monarchical Governments of Europe ; its rights are more attached to personal merit, and less to accidental advantages ; it is as much an aristocracy of talents as of rank. The term *gentleman* in Britain, is a title which is annexed not exclusively to birth,

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as in other countries, but to qualities generally indeed attendant on a certain rank in society, a liberal education, a well-informed mind ; to elegant deportment and honourable sentiments. Hence arises a very great difference in this from other countries, both in that order of men out of which Ministers are to be taken, and in that class also by which they are to be judged. The first has no privilege by which it can impose, nor the last any feeling by which it can be imposed on, in the conduct of public measures. There is in Britain no protection for the Court against the prevailing opinion of the community, that could cover the dissipation, the debauchery, the capricious extravagance, the thoughtless inhumanity, which, from the interior of so many palaces, have spread oppression and ruin over devoted millions.

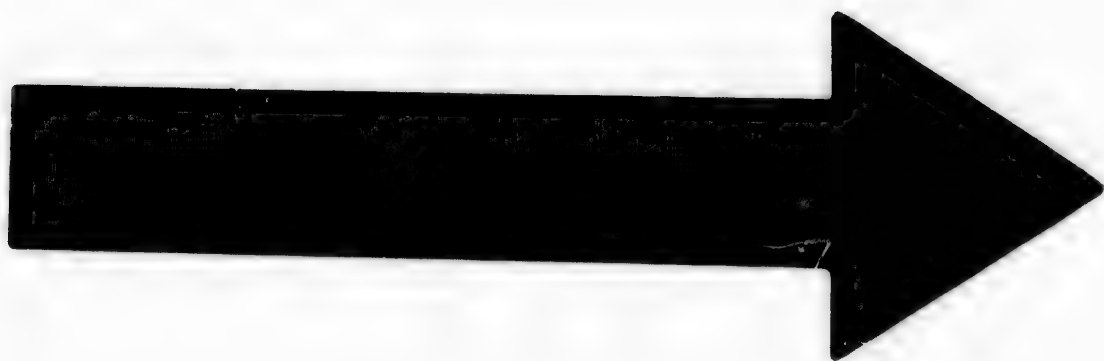
It is material to consider from whence arises this general safeguard, which the Public possesses against the malversation of Ministers, against the intentional abuse, or the ignorant misapplication, of the powers with which they are entrusted. The popular

lar nature of our Government furnishes, as has been already stated, a check, of which the operation is constant, because it is excited by natural and unceasing causes. The opportunity which Parliament affords to the young, the bustling, the ambitious, of canvassing public measures, is one of those salutary counterpoises which our constitution affords against the weight of the executive power. The *Opposition* in Britain is a sort of public body, which, in the practice at least of our Government, is perfectly known and established. The province of this ex-official body, when it acts in a manner salutary to the State, is to watch, with jealousy, over the conduct of Administration; to correct the abuses, and to resist the corruptions of its power; to restrain whatever may be excessive, to moderate what may be inconsiderate, and to supply what may be defective in its measures.

In the exercise of its functions, if they may so be called, Opposition has advantages by which those obvious ones, often mentioned on the side of Administration,

are balanced ; if, on the one hand, patronage strengthens Administration, on the other, the discontent and envy of the disappointed are often thrown into the scale of Opposition ; if Administration has superior opportunities of information, Opposition is not restrained by official secrecy ; if Administration imposes by its dignity, Opposition wins by its familiarity with the People ; and if Administration enjoys active occasions of acquiring popularity, Opposition, on the other hand, suffers none of the embarrassments which result from delicate and perplexing situations. Censure has not the responsibility of action ; and in debate or discussion, he who objects or blames may often object at random, and blame without certainty ; the burden of proof is almost always thrown upon Administration. Opposition is seldom obliged to act on the defensive, but has always the warmth, the vivacity, and the enthusiasm of an assailant.

The respect, as well as the usefulness, of this censorial representative of the People, (if I may be allowed to give it that denomi-



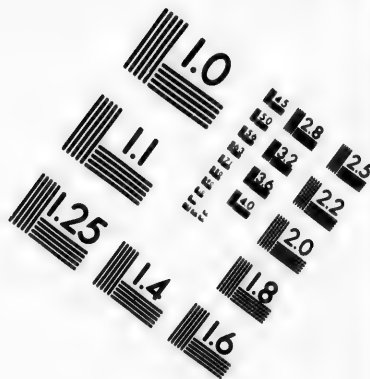
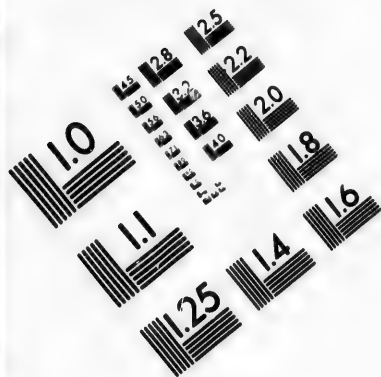
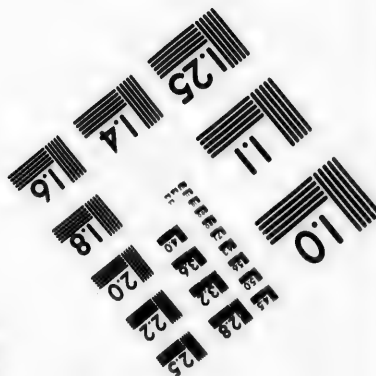
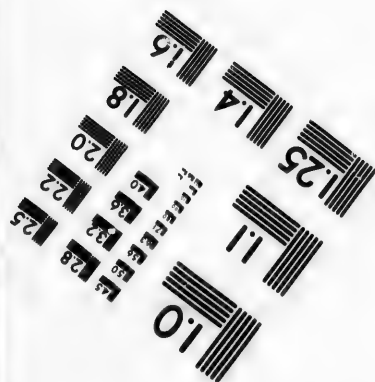
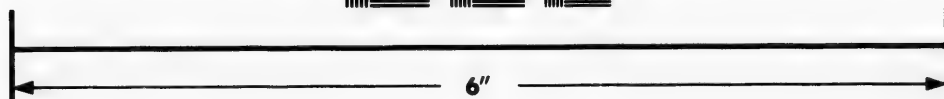
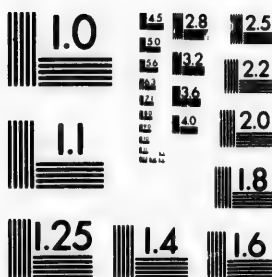


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denomination) depends on the manner in which its faculties are exerted. If its resistance to the measures of Government is unreasonable, or its objections captious; if it passes those bounds within which the justice of the People would confine its censure, and departs from that consistency in argument, or that principle in conduct, which their understanding is always able to perceive, and which their honesty always expects, the confidence of the Public is proportionally withdrawn, and the respectability of Opposition diminished. But, above all, if the purity of its motives be impeached, or the dignity of its character degraded; if it holds an interest opposite to that of the nation, of which it enjoys the calamities and repines at the success; if it breathes an ambition of that unprincipled sort that would build its own advancement on the ruin of the Constitution, no talents, no abilities, can redeem its reputation with the country.

The misapplication of those abilities, the perversion of those talents, may, however, sometimes have effects more pernicious

cious than the authority of the men who possess them should be able to produce. Britain is fertile in speculation. In politics, as in science, there are so many speculatists in this country, that if Opposition, or the worst and most desperate part of Opposition, applies itself to make profelytes against the Constitution, it will find, in the discontent of the splenetic, or the caprice of the fanciful, converts to any system that has novelty and boldness to recommend it.

In this situation, the people will judge for themselves; they will not rest on the authority of men, whose talents, in their perversion, are armed against the happiness of their fellow-citizens. They will review with impartiality the train of public measures which their observation has enabled them to trace, and consider the effects which those measures have produced on the nation. The distrust of power is natural, and an inquiry into the uses to which it has been applied is the privilege of freemen. The wise and the good, however, will certainly feel a satisfaction in the

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favourable result of such inquiry; to such men, to praise a Minister will be more agreeable than to censure him;—but that consideration is of little importance—the gratification which they will feel, is the prosperity of their country.

THE END.

